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CONSCIENTIOUS OBJECTION

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VOLUME I

Text

SELECTIVE SERVICE SYSTEM

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FOREWORD

This issue of the 18-monograph series on the Selective Service experience of World War II is No. 11 and entitled "Conscientious Objection." The basic law of the System gave recognition to the fundamental problem of honest conviction against war. So, for more than six years of operation, special attention was given to the selective process as it pertained to the mobilization of two distinct types of conscientious objectors who were militarily liable registrants: (1) those willing to perform military service only of a noncombatant nature and (2) those unwilling to perform any kind of military service whatsoever. Monograph No. 11 treats exhaustively of conscientious objection in World War II and provides, in addition, a historical background regarding it.

The monograph is of further significance from the standpoint of source and preparation. It was written by Lt. Col. Neal M. Wherry of the division in National Headquarters which was responsible for the conscientious objection program of Selective Service. As he prepared the book he maintained close consultation with Col. Lewis F. Kosch and Mr. Austin S. Imirie, chief and assistant chief, respectively, of that division and with Maj. James L. Montague and Mr. Victor A. Olsen likewise of the division. Dr. Mapheus Smith of the System's Records and Research Division and Mr. Kenneth H. McGill, assistant to the Director, did much of the final editing work. Acknowledgment must also be made of the clearance efforts of a committee composed as follows:

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I

CONSCIENTIOUS OBJECTION AND SELECTIVE SERVICE

The philosophy of Selective Service, as embodied in its basic law of 1940, was that no militarily liable citizen had the right of exemption from service to the Nation in time of emergency, whatever his religious training or affiliation, and whatever his personal beliefs and opinions. The registrant of the System, regardless of his conscientious scruples against the employment of force or service in the armed forces, was classified and selected for whatever duty he could best perform and which would be of greatest benefit to his country. That was the process of selection as it operated for conscientious objection.

Selective Service Approach to Conscientious Objection

The treatment of conscientious objectors by Selective Service was a matter of importance to individual objectors and to the people with whom they were most closely associated—their families, neighbors, members of religious congregations, members of civil rights organizations. It was of significance also to the rest of the Nation, consisting among others of men who volunteered for service in the armed forces as well as those who served after selection and induction. The relatives and friends of these men likewise had a particular interest in the System's approach to conscientious objection.

If no consideration at all had been given to those objecting on the grounds of conscience, the result might have been considerable opposition to Selective Service operations and a lessening of national unity. On the other hand, if the treatment of individuals who claimed to have scruples against service had been liberal enough to allow them freedom of action, the other and vastly larger group of citizens, willing to make sacrifices, would have been antagonized to the point where unity would also have been impaired.

In an attempt to avoid the harsh treatment of conscientious objectors, on the one hand, and their overly liberal treatment, on the other, the policy of the System, pursuant to legislation, was to require conscientious objectors to perform such service to the Nation as their beliefs would support. Although this was not entirely satisfactory either to pacifistic groups or the nationalistically-minded, it did lie between the two extremes. The soundness of this approach was demonstrated in the contributions to the war effort and to the national welfare by the different classes of conscientious objectors, and by the fact that such contributions were made without lowering the morale of the armed forces or of other groups.

Varieties of Conscientious Objectors

Within the broad World War II definition of a conscientious objector as one who claimed religious or private convictions against employing force in war or who objected to performing military duty, there were a number of classes important to identify. For instance, there were general groups identifiable on the basis of the degree to which they would serve. The most extreme variety of conscientious objection involved opposition to any kind of service to the Nation in time of war. This was *absolute* or complete objection and it grew out of the individualistic or religious feeling either of a person or of a small isolated group.

A *more limited* type of conscientious objection was unwillingness to perform any duty which was connected with warlike activity or a military organization, even in time of peace. During World War II conscientious objectors of this type were sent to special public service camps to perform work of national importance under civilian direction.

A third and *still more limited* kind of conscientious objection involved refusal to engage in combat activities but willingness to serve in the armed forces if unarmed, or to serve in the medical corps, or in any other noncombatant capacity. Conscientious objectors of these last two kinds were recognized in the Selective Service law and consequently by the System's classification process. They performed valuable service throughout the war.

Others more *religious* than conscientious in their objection would not serve in World War II for particular reasons of religion, though they were not usually opposed to all war as a matter of principle. There were likewise those whose religious feelings would allow them to accept service only in a war of defense, in employing force for restraining or policing purposes, or in a war which did not interfere with religious duties. Also somewhat different from the conscientious objector was the *pacifist* who would not serve unless convinced that arbitration for the settlement of international disputes had been tried and had failed to achieve peace.

Conscientious objectors were also classifiable into general groups on the basis of religious views. Some objected entirely because of *training and affiliation with religious groups*, mainly the historic nonresistant or pacifist churches, which were opposed to violence and warfare. The grounds for opposition by others were *individual re-*

ligious convictions rather than the traditions of a sect to which they belonged. Still others based their objection on *personal philosophies or other grounds* not associated with religious beliefs or teachings.

In practice it was often difficult to place an individual in any one of these classes. For instance, a man might have claimed adherence to the tenets of a "peace church" but not actually have been a member. Or a registrant could nominally have been a church member through having his name on the church roll, although for some time he had been nonattendant. Then, too, there were others who mixed humanitarian, intellectual, and political views with their professed religious beliefs, and there were also atheists and agnostics.

Department of Justice Groupings

Taking somewhat the same approach, a member of the Department of Justice, after handling the cases of over 10,000 men claiming conscientious objection during World War II, distinguished 12 classes as follows:

1. *The religious objector* sincerely believes in a personal Creator whose immortal laws forbid the killing of human beings, particularly as set forth in the Commandment "Thou shalt not kill." He believes that war is contrary to the spirit and teachings of Christianity and in opposition to God's will, and he cannot participate, without subjecting his soul to eternal perdition.

2. *The moral or ethical objector* considers war inconsistent with his moral philosophy and humanitarianism which is independent of religious beliefs, except as it may be predicated upon a belief in a brotherhood of man. That concept is not based on a belief in the fatherhood of God. His conscience is bound by a moral law, which enjoins him from having to do with so destructive and futile a force as war, which evidences a breakdown of reason by substituting force. In fact, most of this type of objector denies a belief in a deity except insofar as there may be a moral force in the universe. It is his view that mankind is sufficient to itself, that it owes no obligation to any power except humankind, and that it may achieve perfection in and of itself without the interposition of any deity or supernatural power.

3. *The economic objector*, as a student of history, sees all wars as based upon the inequitable distribution of natural resources, complicated and supported by tariff barriers, immigration restrictions and nationalistic control of colonial markets and sees no hope of this war effecting a more equitable distribution of economic opportunity.

4. *The political objector* sees war as a means of exploiting the masses for the few who are politically ambitious, or for the governments and deceiving the people.

5. *The philosophical objector*, generally a student of metaphysics, possesses a personal philosophy which dominates his ways of life.

6. *The sociological objector* whose objections are based upon a theory that war has no place in his own particular ordering of society.

7. *The internationalist objector* would destroy or abolish all international boundaries and sovereignty, racial and trade lines, and consider the world one big family of peoples devoid of war.

8. *The personal objector*, who objects to this particular war, because he believes it to be a war of imperialism or that the Allied Nations have brought it on, or that it is not the type of war in which he can participate.

9. *The neurotic objector* has a phobia of war's atrocities, a mental and physical fear and abhorrence of killing and maiming, and who therefore cannot participate in it.

10. *The naturalistic objector's* objection is physiological, and based upon an abhorrence of blood.

11. *The "professional pacifist" objector* would have "peace in our time at any cost." He would tolerate nothing which would inconvenience his mode of living, but would aggressively limit the liberties of others. He wants to enjoy all the protections of the Government, but is unwilling to bear any of the responsibilities of citizenship in this respect.

12. *The Jehovah Witness* objects to all man-made wars and Governments, but says he is not a conscientious objector to all wars, since he would fight and kill in defense of the Theocracy, his property and his brethren.[1]

It should be understood, however, that these 12 classes were not equally common among conscientious objectors, a fact which will be developed later.

Conscientious Objection and Manpower Procurement

In terms of numbers, the problem of the conscientious objector in World War II was extremely small. Statistically, therefore, the Selective Service policy toward conscientious objectors had a minor relationship to the over-all problem of military manpower procurement. Nor were conscientious objectors numerically important in any age group. The consideration given them did not affect the successful filling of induction calls for the armed forces except in a few counties in the United States where registrants of the so-called peace groups were heavily concentrated and their deferment left an insufficient number of men. In spite of this, no State encountered serious difficulty in meeting its calls on account of the System's conscientious objection approach.

Although conscientious objectors did not create a difficult problem in terms of the number involved, or of meeting the calls for induction into the armed forces, they did constitute an administrative difficulty. The practice of having Civilian Public Service Camps for objectors where they could fulfill their obligation without violating the dictates of conscience was one of the features of the System's administration. In view of the national unity which the program helped to create and maintain during the war, however, its administrative difficulties seemed justified.

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[1] Unpublished report of the Assistant to the Attorney General, 1945, on file at National Headquarters, Selective Service System, Washington, D. C.

Public Approval of the Objector Program

As already suggested, the Selective Service System from 1940 to 1947 sought to deal with conscientious objection not only in accordance with legislation, but also in a way that would result in the greatest possible agreement on the part of the whole country that the problem was handled in a "fair and just" manner. Although extreme groups were not completely satisfied, the System's policy apparently met with general approval. This was particularly noticeable for citizens whose primary basis of judgment was that the best policy was one which produced the greatest national unity and effort during the emergency. The armed forces likewise were appreciative of the efforts of Selective Service because the induction of objectors who were opposed to any military or naval service, would have created difficulties for them.

In judging the conscientious objector and the System's program for him, it should perhaps be kept in mind that most World War II objectors were members of religious denominations and that their opposition to warfare was an integral part of their doctrinal beliefs. It will be recalled that freedom of religious conscience has always been one of the Nation's cherished traditions. This motivated many of the early colonists to turn to America for new homes, and during the emergency of 1940–47 Freedom of Religion was espoused as one of the Four Freedoms for which democratic countries were fighting.

At the end of World War I it was said that the conscientious objector "has been eulogized by well-meaning persons, who understood neither the conscientious objector himself nor the national interest in a time of war, and he has, on the other hand, been roundly abused and reviled by a large part of our citizenry as a coward and a slacker. Apparently, there is no compromise ground: he is diabolically black to his critics while to his defenders his raiment is as the snows."[2] Perhaps World War II saw an advance over these extremes of attitude.

This Report on Conscientious Objection

The purpose of the present monograph is to set forth in detail the record of Selective Service in dealing with conscientious objection during World War II. Preliminary to this there will be a review of the problem throughout American history, as well as the background of some of the outstanding religious groups who have recorded their opposition to war. The legislative history of the conscientious objection provisions of the Selective Training and Service Act of 1940 will be given, as well as a discussion of the general Selective Service Regulations on the classification of conscientious objectors and the special regulations for the administration of their camps. Detailed instructions on the conscientious objection problem will also be incorporated into a story of the operation of this part of the System. General statistics in the field will likewise be presented. Finally, a review will be made of the outstanding events which occurred in connection with conscientious objection during World War II, as well as a discussion of some recommendations for future operations of this kind.

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[2] Walter Guest Kellogg, *The Conscientious Objector* (New York: Boni & Liveright, 1919), p. 1.

II

CHURCH BACKGROUNDS OF CONSCIENTIOUS OBJECTORS

The experience of Selective Service from 1940 to 1947 again brought to the attention of the United States the fact that objection to war was not of modern origin. Recalled was the philosophy of nonviolence which was said to have had a long history in the Orient. Some pacifists quoted a Chinese proverb, "When a man fights, it shows that the fool has lost his argument"; they credited the statement to a Chinese philosopher that "weapons are instruments of ill omen." By way of precedent it was also pointed out that even Ulysses upon one occasion plowed up a beach, feigning madness when he did not want to go to war.

Religious Basis for Conscientious Objection

Those who were opposed to performing combatant or any service in the armed forces of the United States under the Selective Training and Service Act of 1940 styled themselves, for the most part, conscientious objectors. Their objections were largely religious and usually stemmed from interpretations of the Mosaic law and the teachings of Jesus. Their forerunners, two thousand years ago, had trouble with the imperial Roman legions. Strangely enough, that difficulty had to do more with the First Commandment of the Decalog of Moses, "Thou shalt have no other gods before me," than with the Sixth, "Thou shalt not kill," which was stressed in the national emergency of World War II.

The Christians and the Roman Empire

An early formula for religion had been set by Alexander the Great. The peoples he conquered were permitted to continue worshipping their old gods, but with the addition of his Zeus. Very much the same policy was followed when Rome became mistress of the world. But since the Roman chief of state was also the religious head of the state religion (pontifex maximus), statues of the emperors were placed in houses of worship throughout the Roman world. The situation which this brought into existence for the Jews was as follows:

> But in this respect the position of the Jews was peculiar. Their god, Jaweh or Jehovah was, as he had declared himself, a jealous god and would have no strange gods before him. He was conceived by the Jews to be the supreme ruler over all things and over all men. The Jews, therefore, could not place in their temples the statue of the deified Augustus without disobeying the explicit command of Jehovah. With their usual practical good sense, the Romans recognized the special difficulty of the Jews and made them an exception. But the Jews promptly ran into another difficulty. How could they render military service when the soldier's oath of allegiance involved the recognition of the emperor as the deified head of the state? Here again the Roman government acted with sense and generosity. The Jews were practically exempted from military service.[1]

A little later, the circumstances were these:

> The position of the Christians compelled them to be in a measure un-Roman. * * * Civil and military duties were refused where they might have been accepted. Yet it was not a principle with the Church at large to proscribe this public service; and we know as a matter of fact that there were Christians in the Roman Army.[2]

On the other hand, the canons of the Church of Alexandria, probably in the second century, "absolutely forbade volunteering which was the foundation of the Roman Army, and authoritatively stated that 'it was not fitting for Christians to bear arms.' "[3]

Christian Acceptance of "the Just War"

From the time of Constantine, however, Christianity generally accepted the theory of "the just war." But modern doctrinal justification of war dates from St. Thomas Aquinas, who interpreted Jesus' command to Peter to put up his sword as one addressed to him as a cleric rather than a representative of all Christians. Later, some of the smaller sects coming out of the Reformation of the Middle Ages developed well-defined opposition to warfare. It has been only in recent years that strong pacifistic tendencies have appeared among the larger denominations.

The Principal Pacifist Churches

The largest churches which retained doctrines of conscientious objection in World War II were the Mennonite, Brethren, and Friends. Together with certain smaller denominations, such as the Christadelphian and Molokan, these three made up what were commonly known as the "pacifist churches" or "historic peace churches," and furnished well over half of all conscientious objectors. Other groups having a degree of pacifism in their doctrines included the

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[1] Joseph Reither, *World History at a Glance* (New York: Garden City Publishing Co., 1942), p. 102.

[2] Henry C. Sheldon, *History of the Christian Church* (New York: Crowell and Co., 1894), I, p. 179, *et seq.*

[3] Ferrero & Baragallo, *A Short History of Rome* (translated from the Italian by George Chrystal) (New York: G. P. Putnam's Sons, 1919), 2, p. 382.

Seventh-Day Adventist, Assemblies of God, and Churches of Christ. The Jehovah's Witnesses also contributed many conscientious objectors, but as a religious group were enough different to require separate consideration.

Among the churches commonly considered "nonpacifist," those furnishing the largest number of conscientious objectors were the Methodist, Baptist, Presbyterian, Congregational-Christian, Church of Christ, and Catholic, in that order. First, however, there will be presented historical sketches of the groups which were known to have expressed nonresistance viewpoints before 1940.

The Mennonites

The Mennonite Church was the largest of seventeen denominations grouped as "Mennonite bodies" by the United States Bureau of the Census in its 1936 report on the decennial Census of Religious Bodies.[4] This group included the Hutterites and the Amish people. In 1936, there were 913 churches in the United States with 114,337 members comprising the Mennonite bodies. The largest numbers of these members were located in Pennsylvania, Ohio, Indiana, Kansas, and Oklahoma.

The Mennonite Church was founded in Zurich, Switzerland, in 1525, by a group of Bible students known as the Swiss Brethren.[5] They were commonly called Anabaptists because of their practice of adult, as opposed to infant, baptism. The name "Mennonite" came into use about 1550 and probably referred to followers of one Menno Simons, a prominent leader of the group. The first Mennonite confession of faith, adopted by the Swiss Brethren at Schlatten in 1527, said they must lay down "weapons of force, such as sword, armor and the like, together with all their use, whether for the protection of friends or against personal enemies."[6]

In 1683, the first Mennonites came to America from Crefeld, Germany, on the ship *Concord* and settled at Germantown, now a part of Philadelphia. During the eighteenth century, many Swiss Mennonites migrated to Pennsylvania. In fact, practically all of the so-called Pennsylvania Dutch Mennonites were supposedly of Swiss descent. Mennonites spread northward and westward from Germantown into other counties of Pennsylvania, and southward to Virginia. Later they went into the Ohio Valley and still farther west. However, the largest Mennonite migration to the United States apparently was from Russia in 1870. This was probably brought about in the main by the Russian threat to their nonresistant way of life.

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[4] U. S. Census Bureau, *Religious Bodies*, 1936 (Washington: 1941), II, pp. 1002–1081.

[5] Guy F. Hershberger, *War, Peace and Nonresistance* (Scottdale, Pa.: Herald Press, 1944), p. 73.

[6] John Horsch, *The Principle of Nonresistance as Held by the Mennonite Church* (Scottdale, Pa.: Mennonite Publishing House, 1927), p. 20.

Position of the Mennonites, 1937

Representatives of the Mennonite Church, assembled in general conference near Turner, Ore., on August 25 and 26, 1937, and representing 16 conferences, adopted among other resolutions the following one setting forth the position on military service of the Mennonite Church at that time:

OUR POSITION ON MILITARY SERVICE

In the light of the above principles of Scripture we are constrained as followers of Christ to abstain from all forms of military service and all means of support of war, and must consider members who violate these principles as transgressors and out of the fellowship with the church. Specifically our position entails the following commitments:

1. We can have no part in carnal warfare or conflict between nations, nor in strife between classes, groups, or individuals. We believe that this means that we cannot bear arms personally nor aid in any way those who do so, and that as a consequence we cannot accept service under the military arm of the Government, whether direct or indirect, combatant or noncombatant, which ultimately involves participation in any operation aiding or abetting war and thus causes us to be responsible for the destruction of the life, health, and property of our fellow men.

2. On the same grounds consistency requires that we do not serve during wartime under civil organizations temporarily allied with the military in the prosecution of the war, such as the YMCA, the Red Cross, and similar organizations which, under military orders, become a part of the war system in effect, if not in method and spirit, however beneficial their peacetime activities may be.

3. We can have no part in the financing of war operations through the purchase of war bonds in any form or through voluntary contributions to any of the organizations or activities falling under the category described immediately above, unless such contributions are used for civilian relief or similar purposes.

4. We cannot knowingly participate in the manufacture of munitions and weapons of war either in peacetime or in wartime.

5. We can have no part in military training in schools and colleges, or in any other form of peacetime preparation for service as part of the war system.

6. We ought carefully to abstain from any agitation, propaganda or activity that tends to promote ill will or hatred among nations which leads to war, but rather endeavor to foster good will and respect for all nations, peoples, and races, being careful to observe a spirit of sincere neutrality when cases of war and conflict arise.

7. We ought not to seek to make a profit out of war and wartime inflation, which would mean profiting from the shedding of the blood of our fellow men. If, however, during wartime, excess profits do come into our hands, such profits should be conscientiously devoted to charitable purposes, such as the bringing of relief to the needy, or the spreading of the gospel of peace and love, and should not be applied to our own material benefit.

OUR WILLINGNESS TO RELIEVE DISTRESS

According to the teaching and spirit of Christ and the Gospel we are to do good to all men. Hence we are willing at all times to aid in the relief of those who are in need, distress or suffering, regardless of the danger in which we may be placed in bringing such relief, or of the cost which may be involved in the same. We are ready to render such service in time of war as well as in time of peace.

OUR ATTITUDE DURING WARTIME

If our country becomes involved in war, we shall endeavor to continue to live a quiet and peaceable life in all godliness and honesty; avoid joining in the wartime hysteria of hatred, revenge, and retaliation; manifest a meek and submissive spirit, being obedient unto the laws and regulations of the Government in all things, except in such cases where obedience to the Government would cause us to violate the teachings of the Scriptures so that we could not maintain a clear conscience before God (Acts 5:29). We confess that our supreme allegiance is to God, and that we cannot violate this allegiance by any lesser loyalty, but rather must follow Christ in all things, no matter what it costs. We love and honor our country and desire to work constructively for its highest welfare as loyal and obedient citizens; at the same time we are constrained by the love of Christ to love the people of all lands and races and to do them good as opportunity affords rather than evil, and we believe that this duty is not abrogated by war. We realize that to take this position may mean misunderstanding and even contempt from our fellow men, as well as possible suffering, but we hope by the grace of God that we may be able to assume, as our forefathers did, the sacrifices and suffering which may attend the sincere practice of this way of life, without malice or ill will toward those who may differ with us.

If once again conscription should be established, we venture to express the hope that if service be required of us it may not be the military arm of the Government, and may be such that we can perform it without violating our conscience, and that we may thus be permitted to continue to enjoy that full liberty of religious faith and conscience which has been our privilege hitherto.[7]

This basic position of the Mennonites with respect to resistance or violence did not change materially throughout World War II.

The Brethren

The "Church of the Brethren" was the official name of the largest and oldest church body of the four composed of people commonly called Brethren. In the early history of this church the members were called Tunkers, Dunkers, and Dunkards, and these names have persisted.[8] The words were adapted from the German verb 'tunken" meaning "to dip" and referred to the form of baptism used.

This church was founded by Alexander Mack and seven others at Schwarzenau, Germany, in 1708. The first Brethren came to America, settling in Germantown, Pa., in 1719. The greater part of the membership in this young church probably migrated from Europe. At any rate the fate of the Brethren who failed to come to America is not known. Those who came spread from Pennsylvania to New

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[7] *Peace, War and Military Service, A Statement of the Position of the Mennonite Church.* (Pamphlet), pp. 2–4.

[8] *Religious Bodies,* 1936, op. cit., pp. 267–277.

Jersey, Maryland, Virginia, and the Carolinas. After the Revolution some migrated westward into the Ohio Valley.

The founders of the Church of the Brethren took the position that war was contrary to the life, spirit, and teachings of Jesus, and that it was wrong to fight. There follows an early statement regarding this belief taken from *The History of Pennsylvania*, published in 1798:

> They also hold it not becoming a follower of Jesus Christ to bear arms, or fight; because, say they, their true master has forbid his disciples to resist evil; and because he also told them not to swear at all, they will by no means take an oath; but adhere close to his advice, in the affirmation of "yea" and "nay."[9]

Brethren's Belief in the 1930's

The Brethren's historical position was summarized thus during the annual conference of 1932:

> One of the fundamental tenets of the Church of the Brethren since its origin in 1708 has been the acceptance of the New Testament as its rule of faith and practice. Our church fathers have consistently taught and declared in private life as well as in official pronouncements that Christianity and war are incompatible. They believed in, and taught the gospel of peace and good will. They founded their faith in the spirit and teachings of the Bible as exemplified in the life and teachings of the Prince of Peace.[10]

In addition, the minutes of the annual conference of the Church of the Brethren in 1938 contained the following as part of a report from the committee on counsel for conscientious objectors:

> The committee on counsel for conscientious objectors desires to make the following recommendations to the conference of 1938 on the positions that our people should take in the event of war:
>
> I. Types of service considered consistent with the historic position of the church:
>
> 1. Constructive service under church or civilian direction, such as housing, road making, farming, forestry, hospitalization, and recreational work.
> 2. Relief work under the church or civilian direction in and outside the war zone, or in neutral zones, either as a denomination or in cooperation with the Friends and the Mennonites.
>
> II. Types of services considered not consistent with the historic position of the church:
>
> 1. Chaplaincy in the Army or Navy.
> 2. Red Cross service if this organization is definitely committed to render active service under military command in the event of war.
> 3. Hospital service if under military command.
> 4. YMCA work if under military command.
> 5. Services of any kind within the ranks of the army, all of which are without question under direct military command.
>
> III. Types of peace testimony to register our convictions and to avoid our participation in war-related activities:

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[9] Robert Proud, *The History of Pennsylvania* (Philadelphia, Pa.: 1798), II, p. 345.

[10] *Church of the Brethren, Minutes of the Annual Conference,* 1932 (Elgin, Ill.: Brethren Publishing House, 1932), p. 47.

1. The refraining from the purchase of such as Liberty Bonds to finance war.
2. The renunciation of, or the sacrificial use of, profits derived from industry, farming, or invested securities as a result of war; sacrificing always during war periods to build a fund for the furtherance of good will and for the support of families who suffer because of their conscientious objections to war.
3. The protesting against federal taxes if used for military purposes.[11]

In consequence their position during the national emergency of the 1940's was established well in advance of that circumstance.

Religious Bodies, 1936, reported 1,381 churches in this group with a total membership of 188,290. Its members were the most numerous of the pacifist groups. Although individual churches were scattered throughout 35 States, the membership was concentrated for the most part in Pennsylvania, Virginia, Indiana, Ohio, and West Virginia.

The Friends or Quakers

In its early days the church fathered by George Fox was called the "Religious Society of Friends" to which was frequently added "commonly called Quakers." This last name is said to have been applied to the members first by a justice in response to an address from them in which he was called upon to "tremble at the word of God."

During the period of Selective Service operations from 1940 to 1947 there were four denominations using the name "Friends." The largest of these was the Society of Friends (Orthodox). This sect originated in England. The root doctrine of the Inner Light, or the speaking of God to the human soul, was the basic belief. Conscience was early distinguished as liable to err because of its human nature. However, it was the view of the Friends that when properly enlightened from above, conscience could be trusted implicitly as a guide to conduct.[12]

The first recorded visit of Quakers to America was that of two women who arrived in Massachusetts from the Barbados in 1656. They were immediately put under arrest, examined to see whether they were witches, and finally shipped back to the Barbados. Two days later, eight more arrived. These were forcibly returned to England. Severe laws were then enacted and heavy penalties provided for those who knowingly brought into the community that "cursed sect of heretics lately rised up in the world which are commonly called 'Quakers,' who take upon them to be immediately sent of God and infallibly assisted by the Spirit to speak and write blasphemous opinions, despising government."[13]

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[11] Church of the Brethren, *Minutes of the Annual Conference on War and Peace*, 1936–1940, (Elgin, Ill.: Brethren Publishing House, 1940) pp. 8–9.

[12] American Friends Service Committee, *An Introduction to Friends Civilian Public Service* (Philadelphia, Pa.: American Friends Service Committee, 1945), pp. 16–17.

[13] *Religious Bodies*, op. cit., p. 706.

The Friends had trying experiences in Virginia and Connecticut, as in Massachusetts. Rhode Island received them more cordially. In New York, New Jersey, and Maryland they became numerous. The culmination of their influence was felt in Pennsylvania, under the charter given to the great Quaker leader, William Penn.

Quaker Doctrine, 1937

The Quaker doctrine has always been recognized as including the specific belief in nonresistance. This was stated again in a letter to President Franklin D. Roosevelt, presented by a delegation of Friends on February 12, 1937. Anticipating a new Selective Service program this letter reads in part as follows:

> For almost 300 years the Society of Friends has labored to do away with war by first doing away with the causes and occasions for it. It has endeavored in its own circle to remove the roots and seeds of war by forming an atmosphere of life that makes war unthinkable. * * *
>
> Insofar as they are true to these principles, Friends will make heavy sacrifices to transmit their spirit of love and faith, but they cannot, as followers of Christ, endorse war methods or support them, or be themselves a voluntary part of a system engaged in making war.
>
> We feel an obligation to make this conviction a matter of record with our Government now, in peacetime, not only in behalf of members of the Society of Friends, but for any others who, for religious or conscientious reasons would take a similar position." [14]

According to *Religious Bodies, 1936*, there were at that time 717 churches in the Friends bodies, with a total of 93,697 members.

The Christadelphians

The followers of John Thomas, an English doctor who came to the United States in 1844, organized themselves into societies which were without a distinctive name until the Civil War. At that time members applied to the Government to be relieved from military duty in consequence of religious and conscientious scruples. In order that they might be identified they adopted the name "Christadelphian" or "Brothers of Christ." They have consistently maintained that their faith prohibited participation in the armed forces of any country, whether in times of peace or times of war.

Under the Selective Training and Service Act of 1940 the Christadelphian Church as a whole was perhaps the most strict of the nonresistant groups. It took action to disfellowship all members who entered the military forces. On the other hand the group was not actively pacifistic. The Christadelphians did not work against the war; each one simply took his individual stand when called upon to participate.

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[14] *Peace A Positive Testimony*, pp. 11–12.

A very definite stand was taken by this church regarding the employment of its membership in civilian work directly connected with the war effort. When the Christadelphian Service Committee was appointed on October 16, 1938 it was given certain instructions in this regard:

> The committee shall urge the Brotherhood not to engage in any form of munition work, defined as follows: Any work or industry, which has as its special purpose the production, in manufacturing, or equipping of direct instruments of death; viz, guns, rifles, bullets, shells, bombs, and/or anything that is obviously and essentially for the destruction of human life and property in offensive or defensive warfare, and for no other good or useful purpose.[15]

Religious Bodies, 1936, recorded 2,755 members in 109 local Christadelphian organizations, or ecclesia.

Molokans

The most recent of these nonresistance groups to immigrate into the United States was the Molokans. Their church at the time of the 1940–47 emergency was officially known as the "Russian Christian Molokan Spiritual Jumpers." Research does not disclose any definite date or place for the origin of the Molokans. The Russian Encyclopedia states that the Molokan sect separated from the Dukhobors in the latter part of the eighteenth century. It also says that "the Molokans teach the evasion of those laws which in their opinion are contrary to the Holy Scriptures, as for instance the laws of military service and the taking of oaths." For this they suffered successive periods of persecution in Russia followed by periods of relief. Between 1903 and 1912 about 4,000 Molokans migrated to southern California. In 1940, there were estimated to be about 10,000 of them in California, Arizona, and Oregon.

The Molokan Petition of 1940

A signed petition from the Molokans, presented to the Director of Selective Service under date of September 23, 1940, is quoted in full:

> From our fathers we inherited a Christian religion, which shed much innocent blood, being compelled to submit to severe suffering; even bodily punishment and tortures were inflicted upon them. They were made prisoners in fortresses, monasteries, and mines worked by prisoners. They were exiled to Siberia and to the wild regions of Trans-Caucasia, etc. * * * During this period of exile in Trans-Caucasia our religion was exempt from military service for 50 years, and upon the expiration of these 50 years the Russian Government inaugurated compulsory military service in Trans-Caucasia, and for a continuous period of about 5 years thereafter our fathers, without success, pleaded with that government for the exemption of our people from such service.
>
> Therefore, we, following in the footsteps of our ancestors and fulfilling their holy covenant, were compelled to leave our native country, our cultivated fields and all of our property earned and accumulated by hard labor.

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[15] From a letter dated January 9, 1946, on file at the National Headquarters of Selective Service.

> In the early part of this century, in search of peace, comfort and liberty, we immigrated into the United States.
>
> We found the United States a country of peace, comfort, and liberty, and we rejoice in America's prosperity; we are loyal to America and its government; we always pray for the Lord's blessing upon this land and its people.
>
> In the year of 1917, during the World War, we petitioned the President of the United States for exemption from military service, on religious basis only, and our petition was granted and we were fully exempt.
>
> We are a home-loving people, we are industrious and readily respond to a good cause.
>
> We have lived in this country for over 30 years, we are industrious, and to the best of our ability we have contributed to the development of this country.
>
> We stand ready now, as we did in the last war, within our means, to contribute sums of money, through the Red Cross or other suitable agency, to give aid to the widows, orphans, and the injured.
>
> Wherefore, in view of what we have hereinabove expressed, we respectfully petition Your Excellency, to give this matter your earnest consideration, and determine that our people, who are members of our religious denomination, are to be exempt from compulsory military service, as was ruled and ordered during the last World's War. For which we will be ever grateful.[16]

Seventh-Day Adventists

The religious denomination known as the Seventh-Day Adventists had its rise about 100 years before World War II. The name was based upon two of the distinct beliefs held, namely, the observance of the Sabbath of the Scriptures and the imminent personal second advent of Christ.

Throughout their history Seventh-Day Adventists have been noncombatant. This position was declared during the Civil War and affirmed repeatedly throughout the succeeding years. The Adventist Church was peculiar among those of the conscientious objector groups of World War II in that it recognized civil government as ordained of God so that order, justice, and quiet might be maintained. The great majority of its members and adherents did not refuse to serve in the armed forces, but asked that their service be in such capacity as would not violate their conscientious obedience to their interpretation of the Scriptures regarding killing. This approach was set forth as follows in a statement of July 25, 1940:

> Seventh Day Adventists, as you know, are noncombatants.
>
> We are not pacifists nor militarists nor conscientious objectors, but noncombatants.
>
> A pacifist is one who does not believe in participation in war, and he believes in peace at any price. He is an internationalist instead of a nationalist.
>
> As to the antimilitarist, he does not believe in any military establishments whatever. He is opposed to wearing any uniform, saluting a flag, or making any appropriation for war of any kind.
>
> The conscientious objector does not believe in participation in war. He does not believe in bearing arms. He does not even believe in helping to administer

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[16] From a letter on file at National Headquarters.

> to the needy who are in the Army, the sick and the wounded, and does not want to have anything to do with war.
>
> But as to the noncombatant he merely believes that he should not take human life. But he is willing to cooperate with his Government in any capacity that he can, without having to violate his conscience in regard to taking a life. We are noncombatants.[17]

The Adventist Approach, 1943

Seventh-Day Adventists welcomed assignments to the medical departments. The church had done much to prepare its youth for such work. Because of this they styled themselves "conscientious cooperators." The following statement on the official position of the Seventh-Day Adventist Church was approved by its general conference committee at a meeting in Washington, D. C., October 11, 1943:

> On the various battle fronts of earth Seventh-Day Adventist youth are present who do not participate in the fighting, who destroy no lives, who endeavor to cause no injury, but who have made no effort to avoid the fighting fronts. Their mission is to bind up, to bring relief to the helpless. They go into places of gravest danger on errands of mercy and healing. Instead of sword and steel, they carry the equipment of healing and salvation. They bear no arms. Their first concern is not their own safety. They place their lives in jeopardy, entirely without weapons of defense, trusting in the armor of Heaven. They minister to human suffering, human need, human welfare. Hundreds are serving as physicians; many as trained nurses; and thousands in other lines of medical service, having received preinduction training by officers of their church which has especially fitted them for this phase of service.
>
> The noncombatant position taken by Seventh-Day Adventists is thus based on deep religious conviction. It leads no man who sincerely holds it to attempt to evade the patriotic duty and responsibility which is both the obligation and the high privilege of every able-bodied citizen—cooperation for the common welfare of his country. It leads to neither moral nor physical cowardice. On the contrary, it engenders loyalty and courage. It holds men true to the steady performance of duty even to the jeopardy of life, inasmuch as that duty, both to fellow men and government, is seen to be duty to God. On this broad platform of twofold allegiance—to God and to country—we encourage our members everywhere to hold true to their supreme loyalty to God while maintaining their devoted loyalty to their government and their fellow men.[18]

This church was credited by *Religious Bodies, 1936*, with 2,054 local organizations and 133,254 members in the United States.

Assemblies of God

In the case of the Assemblies of God the statement was made that, "While they recognize human government and affirm unswerving loyalty to the United States, the Assemblies of God claim that as followers of the Prince of Peace they are constrained to declare that they could not conscientiously participate in war and armed resistance which involved the actual destruction of human lives.[19] This was based on article XVI of the bylaws of the general council of the church which was adopted when it was organized in 1914. Local churches were held to be independent entities, however, and this bylaw was therefore not necessarily binding upon them. *Religious Bodies*, *1936*, listed 2,611 local units of this denomination with 148,043 members.

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[17] *Compulsory Military Training and Service, Hearings Before the Committee on Military Affairs, House of Representatives* (Washington: 1940), p. 150.

[18] Seventh-Day Adventist War Service Commission, *Why Seventh-Day Adventists Are Noncombatants* (Washington: 1943), p. 16.

Churches of Christ

Regarding the doctrine of the Churches of Christ, the 1936 Census of Religious Bodies stated "In general, the doctrine of nonresistance is advocated." [20] Yet it must be understood that this denomination had no national headquarters and that the local churches maintained strict congregational independence. The denomination was reported to have 3,815 local organizations and 309,551 members.

Jehovah's Witnesses

Out of the meeting of a few Christian persons in a little town in Pennsylvania about the year 1872 came the organization known in 1940 and following as Jehovah's Witnesses. Some 12 years later it was incorporated under the name of Zion's Watchtower Tract Society, but still later the name was changed to Watchtower Bible and Tract Society. At the time of World War I this group was commonly known as the International Bible Students Association.

Primarily Jehovah's Witnesses carried on their work from house to house. They used Bibles, books, booklets, magazines, pamphlets, tracts, and other documents. In following up on their work, Jehovah's Witnesses arranged to call on interested persons sometimes starting studies in their homes. These interested persons were often referred to as People of Good Will.

All Jehovah's Witnesses who were felt to have made a careful study of the Lord's word were deemed qualified by their sect to teach and conduct studies of the Bible in homes. After having consecrated their lives to serve God they were considered by the group to be ordained ministers. They took their authority for a spiritual ordination from the Bible, Isaiah 61: 1 and 2, and it was claimed that once so ordained they must of necessity do preaching work.

World War II Position of Jehovah's Witnesses

This church was not understood to teach nonresistance directly as a part of its doctrine nor to advise its members in the matter of claiming conscientious objection to warfare. Jehovah's Witnesses might or might not claim to be conscientious objectors in accordance with their own personal interpretations of the Scriptures. However, the church did maintain officially a position of "neutrality" in wars between nations and maintained that position during World War II.

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[19] *Religious Bodies, 1936,* op. cit., p. 71.

[20] Ibid., p. 470.

As a matter of fact, many members of this body who claimed before their local boards to be conscientious objectors to any service with the armed forces and stated in writing that they felt they should be assigned to work of national importance under civilian direction took somewhat the position of absolutists after such assignment and refused to perform any kind of duty. Their position was essentially one of "religious" objection rather than that of "conscientious" objection. They usually maintained that either military service or alternate civilian duty interfered with their church work and that they therefore could engage in neither.

The local congregations of Jehovah's Witnesses were called "companies." In most instances their assembly place was called a kingdom hall, which was for them what a church edifice was to other denominations. On September 1, 1943, there were reported to be 3,227 organized companies in the United States. Authentic membership figures were not available, but it was estimated at the time that there were approximately 75,000 members in this country. Statistics for the group were not included in *Religious Bodies, 1936*.

Miscellaneous Groups Opposing Participation in War

An additional number of small denominations were included in *Religious Bodies, 1936*,[21] as opposing participation in warfare. The following list covers these groups and gives the numbers of their churches and memberships as shown by the 1936 Report:

	Number of churches	Number of members
Advent Christian Church	346	26, 258
Amana Church Society	7	847
Apostolic Christian Church	57	5, 841
Apostolic Christian Church (Nazarene)	31	1, 663
Brethren in Christ	90	5, 495
Church of God (Salem, W. Va.)	39	1, 154
Church of God as Organized by Christ	13	361
Church of Jesus Christ (Bickertonites)	31	1, 639
Church of Jesus Christ (Cutlerites)	2	31
Church of the United Brethren in Christ (Old Constitution)	248	15, 401
Divine Science Church	18	40, 085
House of the Lord	4	302
Independent Baptist Church of America	8	129
International Pentecostal Assemblies	98	6, 333
Latter House of the Lord, Apostolic Faith, The	2	29
Missionary Church Association	47	3, 648
Old Order or Yorker Brethren	7	291
Pentecostal Assemblies of the World	87	291
Pentecostal Church, Inc. The [1]	168	9, 681
Pentecostal Church of God of America, Inc	81	4, 296
Reformed Methodist Church	9	288
Reformed New Congregational Methodist Church	8	329
Seventh-Day Baptist (German, 1728)	3	137
Spiritualist Bodies	424	27, 352
United Society of Believers (Shakers)	3	92
United Zion's Children	24	1, 240

[1] Now united with another denomination and called United Pentecostal Church.

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[21] *Religious Bodies, 1936,* op. cit., pp. 795–796.

It must be remembered that almost all of the above denominations are rather recent in origin, and that therefore they are without a long and sustained history of conscientious objection or nonresistance. In certain instances their opposition to warfare prior to 1940 had not been tried by any period of emergency. In some cases they had not made a vigorous statement against military service; at least no such statement appeared in *Religious Bodies, 1936*.

For instance, it was said of the National Spiritualist Association that "they are opposed to war, to capital punishment, to restrictive medical laws, and to every form of tyranny, political or religious." [22] Regarding the Church of God (Salem, W. Va.) it was stated that "all carnal warfare, and the participation therein, is condemned." [23] With respect to the Church of God as Organized by Christ, it was said, "they teach * * * nonresistance." [24] The fact that the name "Church of God" was used by a number of different small religious groups in the United States made for confusion in interpreting the doctrinal position taken by them. These excerpts from doctrinal statements were taken from *Religious Bodies, 1936*, and it should be noted that they were prepared in each case from information furnished by an official of the church, and that in nearly all cases they were approved in the form given by such official.

Conscientious Objectors in Nonpacifist Churches

Although they did not take a clear stand against participation in warfare or military organizations, a number of prominent nonpacifist churches within the 10 years preceding World War II expressed sympathy for and a desire to protect minority members of their faiths who did have such objection. The groups which were reported to the United States Senate Committee on Military Affairs as having taken action of this nature included the Northern Baptist Convention, General Council of Congregational and Christian Churches, Disciples of Christ, Evangelical Synod of North America, Methodist Church of America, Presbyterian Church in the United States of America, Protestant Episcopal Church, Reformed Church in America, American Unitarian Association, United Lutheran Church in America, Executive Committee of the Federal Council of Churches, Oxford Conference on the Church, Community and State and the World Council of Churches as well as the Church of the Brethren, the Society of Friends and the Mennonite Church.[25]

Specific statements credited to these church denominations at the time were as follows:

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[22] *Religious Bodies, 1396,* op. cit., pp. 1600–1.

[23] Ibid., p. 425.

[24] Ibid., p. 660.

[28] Hearings on S. 4164 bfore Senate Committee on Military Affairs, 73d Cong., 3d Sess, (Washington: 1940), p. 312.

1. NORTHERN BAPTIST CONVENTION

Convention, 1934: We believe * * * that since Baptists have always stood for the supremacy of conscience, and in view of the fact that our Government has, in recent years, imposed the test of military service as a qualification for citizenship, we are convinced that the time has come to call upon our pastors and people to defend in the pulpit, before school authorities, and before the courts when necessary, all Baptist students who for conscience's sake refuse to submit to military training in high schools, colleges, and universities; and that we ask our governments, Federal and State, to grant these persons and all other conscientious objectors the same rights of conscience as now enjoyed by the Society of Friends.

Convention, May 23, 1936: We reaffirm our belief in the right of conscience to refuse to bear arms or submit to military training.[26]

2. CONGREGATIONAL AND CHRISTIAN CHURCHES

June 1939: Be it resolved, That the General Council of Congregational and Christian Churches make representations to the United States Government asking that those members of the said Congregational and Christian Churches who wish to do so be permitted to register as conscientious objectors to participation in any of the activities of war and that their objections be recognized as valid by the United States Government.[27]

3. DISCIPLES OF CHRIST

International convention, October 1933: Resolved, that this international convention of the Disciples of Christ, meeting in Pittsburgh, Pa., October 11–16, 1933, in recognition of the personal conviction of a considerable number of Disciples of Christ, file with the proper authorities of the Government of the United States of America, a statement of fact that there are within the membership of the Churches of Christ individuals who, as conscientious followers of Jesus, cannot take active part as combatants in any military warfare, and request that these individuals be granted complete exemption from military service on the basis of this conviction of Christian faith.[28]

4. EVANGELICAL SYNOD OF NORTH AMERICA

Special General Conference, 1934: The general conference petitions the Government of the United States to grant to members of the Evangelical Synod of North America, who may be conscientious objectors to war, the same exemption from military service as has long been granted to members of the Society of Friends and other similar religious organizations.[29]

5. THE METHODIST CHURCH OF AMERICA

1939: The Methodist Church, true to the principles of the New Testament, teaches respect for properly constituted civil authority. It holds that government rests upon the support of its conscientious citizenship, and that conscientious objectors to war in any or all of its manifestations are a natural outgrowth of the principle of good will and the Christian desire for universal peace; and that such objectors should not be oppressed by compulsory military service anywhere or at any time. We ask and claim exemption from all forms of military preparation or service for all conscientious objectors who may be members of the Methodist Church.[30]

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[26] Ibid., p. 313.
[27] Ibid., p. 313.
[28] Ibid., p. 314.
[29] Ibid., p. 314.

6. PRESBYTERIAN CHURCH IN THE UNITED STATES OF AMERICA

General Assembly, May 1934: We proclaim our adherence to the principle that Christians owe allegiance to the Kingdom of God that is superior to loyalty to their own country, and that in any matter in which the laws of their country conflict with the commands of God, they must assert their duty and right to obey God rather than men.

We direct the board of Christian education to record the signatures of young people of our constituency who object to war on the grounds of their religion to a declaration to that effect, in order that their objection may be a matter of record and they may so receive the full support of the church.[31]

7. PROTESTANT EPISCOPAL CHURCH

General convention, 1934: Whereas the house of bishops in its pastoral letter issued from Davenport stated that it is the duty of Christians to put the cross above the flag and in any conflict of loyalties unhesitatingly to follow the Christ, and

Whereas we desire that all Christian people who, though willing to risk their lives in noncombatant service, are unwilling for conscience's sake to take human life in war, and shall have signified their intention by placing themselves on record at the national headquarters of their respective churches, as accorded by the United States Government the status in fact accorded members of the Society of Friends as respects military service; be it

Resolved, That a commission of six bishops, six presbyters, and six laymen be appointed by the presiding bishop and the president of the house of deputies to perform the following duties:

1. To petition the Congress of the United States for such legislation as may be necessary to secure the status in fact accorded members of the Society of Friends for all Christian men who, though prepared to risk their lives in noncombatant service, are prevented by their consciences from serving in the combatant forces in the United States.
2. In the event of such legislation, to make provision for an accurate register to be kept at the office of the national council of such members of the Protestant Episcopal Church as are conscientiously unable to serve in the combatant forces in the United States.

General convention, 1937: Resolved, the house of bishops concurring, that the commission on noncombatant war service be continued, with instructions in cooperation with other religious bodies which have passed similar resolutions to press for the enactment of legislation as proposed by the General Convention of 1934.[32]

8. REFORMED CHURCH IN AMERICA

1939: We recognize, in the event of war, the right of man, minister or communicant member to follow the leading of his conscience before God concerning his support and participation in any armed conflict, and agree sympathetically to support and protect him and his rights in the event of his taking such a stand.[33]

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[30] Ibid., p. 314.

[31] Ibid., p. 314.

[32] Ibid., 314–315.

[33] Ibid., p. 315.

9. AMERICAN UNITARIAN ASSOCIATION

Annual meeting, 1933: Whereas the attitude of our churches toward such of their members as shall for conscientious reasons refuse military service is a matter of vital importance; and

Whereas various communions have declared themselves, including our sister churches of the Congregational order of the State of Massachusetts, who, at their recent annual meeting passed the following resolution:

"'Resolved, That the State conference declare its judgment that it is entirely consistent with the historic principles of the Congregational-Christian faith for members of our churches to refuse on conscientious grounds to participate in any warfare,' and be it

"Resolved, That the American Unitarian Association in annual meeting assembled declare that it is entirely consistent with the historic principles of the Unitarian fellowship for members of our churches who are conscientiously opposed to war and participation in it to refuse such participation." [34]

10. EXECUTIVE COMMITTEE, FEDERAL COUNCIL OF CHURCHES, 1930

We believe it to be the duty of the churches to give moral support to those individuals who hold conscientious scruples against participation in military training or military service. We recommend that the various communions take appropriate action to this effect.[35]

11. ACTION OF THE EXECUTIVE BOARD OF THE UNITED LUTHERAN CHURCH IN AMERICA (1940)

The executive board of the United Lutheran Church in America has been officially requested by the board of social missions and by the conference of synodical presidents, to define the position of the church with respect to the rights and duties of Christian citizens, particularly in the emergencies of war.

The position of the United Lutheran Church in America, based upon the Scriptures and interpreted by its confessions, may be summarized as follows:

1. It is the function of the Christian Church to proclaim the gospel of redemption and peace.

2. It is the duty of the Christian citizen to obey and support lawful government. Concerning such duty we hold—what is plainly taught by Scripture and stated in the church's confessions—that "lawful civil ordinances are good works of God * * * it is right for Christians to bear civil office, to sit as judges * * * to engage in just wars, to serve as soldiers, to make legal contracts, to hold property, to make oath * * * save only when commanded to sin, for then they ought to obey God rather than man." Augsburg Confession, article XVI. Romans 13: 1–7; I Peter 2: 13–17; Titus 3: 1; Matthew 22: 17–21; Acts 5: 29.

3. We hold that a justifiable war not only may be possible, but that the Christian citizen is in duty bound to bear arms and to offer his life if need be in defense of his country.

4. We believe that the conscience of the individual, informed and inspired by the Word of God, is the final authority in determining conduct (Acts 5: 29). Conscientiousness is one of the essential virtues of good citizenship. Therefore, under this evangelical principle of freedom of conscience we recognize the individual right to conscientious objection to service in a war. Such recognition does not imply the church's approval of such conscientious objection but does

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[34] Ibid., p. 315.

[35] Ibid., p. 315.

proclaim its devotion and respect for the Scriptural principle of the supreme moral responsibility of the individual conscience. (Acts 5: 29). As the exponent and defender of Christian principle the church must respect and safeguard the Christian in his right to the honest exercise of that responsibility. The obvious difficulties involved, such as the abuse of the principle by hypocrites using conscience as a cloak for cowardice, do not excuse the church from its sacred obligation of defending the principle at stake. They do challenge the church to special care in judging the spirit and motives of those who may call upon the church for safeguarding in such a position. They also challenge all Christians to a heart-searching study of what the Word of God and the witness of the church teach concerning the duties of the Christian citizen to the State. We reiterate that duty to be loyal support and service to the Nation whose protection and benefits he enjoys.[36]

12. ACTION OF THE INTERNATIONAL CONVENTION OF THE DISCIPLES OF CHRIST (1939)

As a free democratic fellowship, the Disciples of Christ recognize the right of individuals to follow their own consciences in matters of practical conduct. Inasmuch as convinced Christian pacifists constitute an unpopular and misunderstood minority, we reaffirm at this time our respect for them and their position, and pledge our assistance to any who may face persecution or privation because of their pacifist convictions.

In order that Christian pacifists among us may have an opportunity to record their convictions as to participation in war, we urge that provision be made for an early enrollment of all conscientious objectors within our fellowship. We also recommend that the department of social education and social action of the United Christian Missionary Society begin immediately to confer with the Friends and with other strongly peace-minded bodies of Christians with a view to determining now the types of constructive sacrificial service in which pacifists may engage.[37]

Churches Listed by Conscientious Objectors

During the 6½-year operation of the Selective Service System, registrants who claimed to be conscientious objectors were asked to list their church membership in filling out Special Form for Conscientious Objector (DSS Form 47). Information showing all of the religious sects or organizations in which membership was claimed by any one registrant of a group of over 10,000 professed conscientious objectors was furnished Selective Service by the Department of Justice. It contains 345 churches and is thought to be the broadest ever compiled in this connection. The listing covers sects and organizations in which membership or with which affiliation was claimed by men who represented to the System that they were conscientious objectors. The complete list is presented here, in alphabetical order:

Abyssinian Baptist, Advent Christian, Advent Church of Christ, African Methodist Episcopal, Ambassador for Christ Tabernacle, American Holy Orthodox Catholic Apostolic Eastern Church, American Lutheran, American Unitarian Association, Amish Mennonite, Ancient Universal, Angelas Temple, Anglican, Apostolic, Apostolic Christian, Apostolic Christian Church of America, Apostoli

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[36] Ibid., p. 317.

[37] Ibid., pp. 317–318.

Church of America, Apostolic Church of the Faith in Jesus Christ, Inc., Apostolic Faith Assembly, Apostolic Faith Holiness, Apostolic Faith Movement, Assemblies of God, Assemblies of God, Inc., Assemblies of the World, Assembly of Christians, Associated Bible Students.

Baha'i Faith, Baltimore Gospel Tabernacle, Baptist, Baptist (Colored), Beacon Light Full Gospel Church, Inc., Bethany Evangelical, Bethel Gospel, Bethel Methodist, Bethel Temple, Bible School Church of the New Age, Bible Student Ecclesia, Bible Students, Body of Christ, Brethren, Brethren in Christ, Broadway Tabernacle, Bronx Free Fellowship, Buddhist.

Calvary Independent, Calvary Tabernacle Gospel Church, Catholic, Central, Central Christian, Central Church of Christ, Chapel of the Intercession, Chatham Bible, Christ Church, Christ Sanctified Holy Church, Christadelphian, Christian and Missionary Alliance, Christian Assemblies, Christian-Baptist Association, Christian Brethren, Christian Catholic Apostolic Church, Christian Church, Christian Conventions, Christian Pentecostal, Christian Pentecostal Church of God, Christian Science, Christians Gathered to the Name of Lord Jesus Christ, Christians' Gospel Assembly, Church Militant, Church of Blessed Hope, Church of Christ, Church of Christ Holiness, Church of England in Canada, Church of God, Church of God (Seventh Day Adventist), Church of God and Christ, Church of God and Saints of Christ, Church of God in Christ, Church of God in Christ Mennonite, Church of God of Abraham's Faith, Church of God of the Apostolic Faith, Church of Jesus Christ, Church of Jesus Christ of the Latter Day Saints, Church of Light, Church of Positive Christianity, Church of the Christian Fellowship, Church of the Emissaries of Divine Light, Church of the Essenes, Church of the First Born, Church of the Four Leaf Clover, Church of the Gospel, Church of the Healing Christ, Church of the Inner Light, Church of the Living God, Church of the Living God Pillar and Ground of the Truth, Church of the Lord Jesus Christ, Church of the Lord Jesus Christ of the Apostolic Faith, Church of the Lord Jesus, Inc., Church of the New Age, Church of the Open Door, Church of the People, Church of the Radiant Light, Church On the Rock of the Apostolic Faith, Community Church of New York, Coney Island Tabernacle Hellenic Apostolic, Congregation Holiness, Congregational, Congregational Christian, Congregational Independent, Co-op Workers' Club, Cosmopolitan, Cosmopolitan Church of Liberty, Covenant Church.

David Co-op Society, Disciples of Christ, Donkhober, Dunkard Brethren Church, Inc.

Ecclesia Holiness Pentecostal, Elim Full Gospel, Emanon International Brotherhood, Emanuel Gospel Assembly, Emanuel Lutheran, Episcopal, Episcopal Fellowship, Essence of Kasman, Ethical Pro-Social Human Society, Evangelical, Evangelical and Reformed Lutheran, Evangelical Congregational, Evangelical Lutheran, Evangelical Mennonite Brethren, Evangelical Mission, Evangelical Mission Covenant, Evangelical Pentecostal, Evangelical Reformed, Evangelistic Association, Everybody's Mission.

Faith Tabernacle, Fellowship of Christians, Fellowship of Reconciliation, Filipino Assembly of the First Born, Inc., Fire Baptist Holiness Church of God, First Baptist, First Brethren, First Century Gospel Church, First Christian Church, First Church of Christ, First Church of God, First Church of the Brethren, First Congregational Christian, First Congregational Church, First Divine Association in America, First Evangelical, First Evangelical Free Church, First Holiness, First Mennonite, First Pentecostal, First Pilgrim Holiness, First Presbyterian, First Reformed, First Unitarian Church, First Unitarian Society, First Universalist, Free Church of God, Free Gospel Group, Free Holiness, Free Methodist, Free Mission, Free Pentecostal Church, Free-Will Baptist, Free Will

Christian Baptist Church of Christ, Free Will Church of Christ, Four Square Gospel, Friends, Full Gospel Assemblies in Christ, Full Gospel Church, Full Gospel Mission, Full Gospel Temple, Fundamentalist Baptist.

General Assemblies of God, General Assembly of the Church of the First Born, German Baptist, Glad Tidings Tabernacle, God's Missionary, Gospel Church, Gospel of the Kingdom, Gospel Tabernacle, Gospel Worker Mission, Greek Catholic, Greek Orthodox.

Hashomen Hadati, Hegewisch Gospel Tabernacle, Hephzibah Faith, Holiness, Holiness Camp Meeting Association, Holiness Church of God, House of David, House of Prayer for all People, Household of Faith, Humanist Society of Friends, Hutterian Brethren.

Immanuel Missionary, Independent Christian Church, International Bible Students, International Fellowship, International Pentecostal Assemblies, International Society of Christian Endeavor, International Spiritual Temple, Islam, Israelite, Italian Christian, Italian Church of North America, Italian Baptist, Italian Evangelical, Italian Pentecostal.

Jewish, Jehovah's Witnesses, Jewish Orthodox.

Kelso Chapel, Kingdom Gospel, Koreshian Unity.

Latter Day Saints, Laymen's Missionary Movement, League for Protestant Action, Liberal Church, Inc., Liberty Pilgrim Holiness Church, Lutheran.

Macedonian Mission, Mason, Mazdoznan, Megiddo Mission, Mennonite, Mennonite Brethren, Methodist, Methodist Episcopal, Mission Covenant Church of America, Missionary Baptist, Missionary Church Association, Moorish Islamic, Moorish Science Temple of America, Moravian, Mormon, Moslem, Mt. Henry Community.

National Church of Positive Christianity, Nazarene, New Era Baptist Association, New Testament Church, New York City Mission Society, Northern Baptist, Norwegian Evangelical, Norwegian Lutheran.

Open Bible Standard Association, Old German Baptist Brethren, Old Mennonite. Pacifist Action Fellowship, Peace House, Peace Mission, Pentecostal, Pentecostal Apostolic Faith of Jesus Christ, Pentecostal Assemblies, Pentecostal Assemblies of God, Pentecostal Assemblies of Jesus Christ, Pentecostal Assemblies of the World, Pentecostal Church, Inc., Pentecostal Church of God, Pentecostal Church of Jesus Christ, Pentecostal Fire Baptist Holiness, Pentecostal Holiness, Pentecostal Holiness Church of Christ, Pentecostal Rogerene Quakers, People's Church, Pilgrim Congregational, Pilgrim Holiness, Plymouth Brethren, Plymouth Brethren No. 4, Plymouth Congregational, Plymouth No. 2, Presbyterian, Progressive Church of Christ, Protestant, Protestant Episcopal.

Quaker Fellowship.

Reformed Church, Reformed Church of America, Reformed Methodist, Reformed Presbyterian, Refuge Church of Christ, Revival Tabernacle, Righteous Supreme Temple of God, Riverside Church, Rosa Crucio Amork, Rosicrusians, Russellites, Russian Baptist, Russian Evangelical, Russian Molokan Jumpers, Russian Ukranian Evangelical Baptist.

St. Peter Paul Russian Orthodox, Saint's Mission, Salvation Army, Second Advent Christian, Seventh Day Adventist, Seventh Day Baptist, Slovak Church of God, Slovak Evangelical Lutheran, Socialist, Society of Ethical, Southern Baptist, Spanish Church of Jesus Christ (Inc.) (Pentecostal), Swedenborgian, Swedish Mission.

Tabernacle Baptist, Temple of Wisdom, Theosophical Society, Theosophist, Third Hungarian Spiritualist, Triumph of the Church and Kingdom of God in Christ, Triumphant, Trinity Evangelical Trinity Mission, True Light Church of Christ, Twentieth Century Bible School of Research.

Undenominational, Undenominational Assemblies of Christians, Union Church, Unitarian, United Brethren, United Brethren in Christ, United Fundamentalist Church, Inc., United Holiness, United Holiness Church of America, United Holy Church of America, United House of Prayer, United International Young People's Assembly, Inc., United Lodge of Theosophists, United Lutheran, United Lutheran Church of America, United Methodist, United Presbyterian, United Young People's Assembly of the Apostles, Unity School of Christianity, Universal Life Research Society Church, Universalist Unitarian.

Vedanta Society, Victory Gospel, Vishnu Cult.

War Resisters' League, Way of the Cross Church of Christ, Inc.

Yoga, Youth Committee Against War.

Zion Evangelical, Zion's Messenger.

Summary

The significance for World War II of the above list of 345 religious sects and organizations, as well as the many church statements in this chapter, was that the American conscientious objector who in the main based his objection upon religion, might occur in connection with any religious group. It is true that a registrant opposed to warfare and armed forces, one who conscientiously believed in nonviolence or nonresistance, was more likely to belong to a pacifist than a nonpacifist sect. Conscientious objection on a personal basis, however, was found in most of the religious organizations of the United States.

What is more, some nonpacifist churches also went on record as feeling that objectors among their membership had a right to their views and that these convictions should be recognized and provided for in the basic law and the fundamental operations of a Selective Service program. They did not, as did most pacifist sects, take a stand for all of their members against participation in war and the manufacture of weapons, but rather they left it up to the individual who, if in opposition, would have church support in his right to such belief. Interestingly enough some pacifist organizations, most of them minor from the standpoint of membership, seemed to take a similar approach.

However, the conscientious objection provisions of the Selective Training and Service Act of 1940, made possible extensive recognition and consideration by the Federal Government of the principles set forth by both nonpacifist and pacifist churches with respect to individual or group violation of conscience on the grounds of religion. Thus the human right of religious freedom even during a national emergency came to maturity in democratic America along with the Nation's general interest in the individual rights of all citizens.

III

CONSCIENTIOUS OBJECTION IN AMERICAN HISTORY

In dealing with conscientious objection during World War II, Selective Service gave considerable recognition to the backgrounds of the problem. These backgrounds showed that most conscientious objectors based their opposition to war upon religious scruples and were members of pacifist churches. The history of nonviolence or nonresistance precepts in such churches was of long standing. It is therefore important in discussing the System's work from 1940 to 1947 to review the American antecedents of objection to warfare and to the armed forces. This experience of the Nation may be said to fall into three general periods: the Colonial and the Revolutionary Wars, the Civil War and World War I.

Early Objection a Local or State Problem

The handling of conscientious objectors to military and naval service has been a governmental problem in this country ever since the settlement of nonresistant sects during early colonial times. At first it was an issue of local Government involved principally in defense against the Indians. During the Colonial wars, however, it became a broader question since it was associated with the raising of Colonial militia.

Until well into the Civil War period conscientious objection remained a local or State affair. Finally, both the Federal and Confederate Governments recognized the issue in their legislation. But it was not before World War I that conscientious objection was a national problem from the first day of a Federal draft program and that the treatment of conscientious objectors assumed some degree of uniformity throughout the land.

In the early history of this country, objectors who opposed war on religious grounds were sometimes excused from military or naval service, but in many cases they were imprisoned and often they were subjected to heavy taxes or fines for the support of military campaigns. As time went by it became a general custom to excuse from armed service those who hired a substitute or who paid what was called a commutation fee. Such provisions afforded a means whereby an objector could be true to his conscience and not bear arms although it should be understood that such arrangements were in general not set up especially for that purpose nor used exclusively by conscientious objectors. Furthermore, such procedures were not entirely satisfactory either to the Government or to the objector himself. They were not in operation following the Civil War and were completely disavowed at the time of World War I.

First Provisions for Noncombatant Service

From time to time efforts were made, either by the objectors or by their governments, to find a type of service which their religious views would allow them to perform in the armed forces, one which would not be directly connected with the bearing of weapons. Among the 13 original colonies Massachusetts (1661) [1], Rhode Island (1673) [2] and Pennsylvania (1757) were the first to include what might be termed noncombatant service provisions in their laws. The Pennsylvania legislation was passed by its assembly on March 29, 1757, and was of rather comprehensive nature as shown in the following quotation from the act:

> All Quakers, Mennonists, Moravians, and others conscientiously scrupulous of bearing arms, who shall appear on any alarm with the militia, though without arms, and obey the commands of the officers in extinguishing fires, suppressing insurrection of Slaves or other evil-minded persons during an attack, in caring for wounded, conveying intelligence as expresses or messengers, carrying refreshments to such as are on duty, and in conveying to places of safety women and children, aged, infirm, and wounded persons, are free and exempt from the penalties of the act.[3]

Following that date the idea appeared occasionally in other Colonial and in State enactments. One interesting State proposal was made in North Carolina during the early days of the Civil War before the Confederate Government assumed complete central regulation of its draft. This proposal was for conscientious objectors to labor in the salt works of the State as an alternative to armed service.[4] The significance here was that such "noncombatant" duty might have been conceived as operating outside of the armed forces whereas previously this kind of service was generally associated with military or naval personnel.

At any rate the idea gradually arose of noncombatant duty outside as well as within the armed forces. This gave two alternatives to the compulsory bearing of weapons in time of emergency. The first, noncombatant service within the Army, was carried on in the

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[1] Selective Service Special Monograph No. 1, *Backgrounds of Selective Service,* (Washington: 1947), vol. II, part 6, No. 561, p. 73.

[2] Ibid., part 12, No. 583, pp. 13–17.

[3] Frederic A. Godcharles, *Pennsylvania, Political, Governmental, Military,* (New York: American Historical Society, Inc., 1933), and *Civil, Military Volume II,* p. 4 *et seq.*

[4] E. N. Wright, *Conscientious Objectors in the Civil War* (Philadelphia: Univ. of Pa. Press, 1931), p. 100.

United States during World War I. The second, duty outside the armed forces, was tried in effect during that same war by furloughing men from the Army for other work. It had also been used rather extensively in Russia during the 1870's.[5] Then, finally, in World War II, came legal expression within the Selective Training and Service Act of 1940 regarding work of national importance under civilian direction.

During all of this history there were at least two and perhaps three types of conscientious objectors according to the service they would perform. First were those who were willing to accept almost any duty in the armed forces except that involving the use of weapons; second, men who were willing to serve only outside of the military and naval organization; and third, those unwilling to perform any duty. The 1940 provisions attempted for the first time to meet the problem for the second group.

William Penn and Conscientious Objection

In Colonial days religious liberty was the primary cause for the coming of Quakers, Brethren, Mennonites, and perhaps others of the pacifist church group to America. Particularly was this true of those who settled in Pennsylvania, because William Penn had made it clear that religious freedom would be granted to everyone in his colony. The following excerpt along these lines is from Penn's "Charter of Privileges to the Provinces and Counties of Pennsylvania," approved in assembly, October 28, 1701:

> I do hereby Grant and Declare that no person or persons, inhabiting in this Province or Territories, who shall Confess and acknowledge One Almighty God, the Creator, Upholder and Ruler of the World, and Profess him or themselves obliged to Live Quietly under the Civil Government, shall be in any Case molested or prejudiced in his or their person or Estate because of his or their Conscientious perswasion or Practice, nor to be Compelled to frequent or maintain any Religious Worship, place or ministry contrary to his or their mind, or to do or suffer any other act or thing contrary to their Religious perswasion.[6]

Thereby he voluntarily retrenched his power to "Levy, muster and train all sorts of men." [7]

It appears from Dr. Frederic A. Godcharles' history of Pennsylvania that the Quakers composed the majority of the assembly in the early 1750's and previously. On November 25, 1755, an act was passed "ordering and regulating such as are willing and desirous to be united for military purposes within the Province" [8] and in this act the opposition of the Quakers to war was set forth. Dr. Godcharles indicates that they were spoken of as those who were "principled against bearing arms, although they do not, as the world is now circumstanced, condemn the use of arms in others." [9] Although the Quakers became the minority party in the assembly soon after that, in 1757 to be exact, this did not alter the colony's approach to nonviolence and nonresistance principles based upon religious conscience.

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[5] Guy F. Hershberger, *War, Peace, and Nonresistance* (Scottdale, Pa.: The Herald Press, 1944), pp. 84–86.

[6] *Minutes of the Provincial Council of Pennsylvania from the Organization to the Termination of the Proprietary Government* (Harrisburg, Pa.: Theo. Fenn and Co., 1852), vol. II, p. 57.

[7] *The Charter of Charles II Unto William Penn*, 1681, sec. XVI, *et seq.*

[8] Facsimilie in Selective Service Special Monograph No. 1, vol. II, part 11, p. 17.

Attitudes During Colonial Wars With the Indians

Information regarding the attitude of nonresistant churches toward war between the colonists and the Indians is fragmentary. However, enough is available to disclose the general point of view. The Christopher Sowers, father and son, are credited with the following expression of the Quaker viewpoint:

> As it is not only the aim of the Quakers, but also the faith-principle of many others, that one should not strike with the sword but put it in the sheath, that one should do good things to the enemy, that one should look for peace * * * and for a long time many Germans have offered that—if it were possible to make a lasting peace with the Indians without bloodshed—the Germans would contribute according to their fortunes—to many poor people's lives being saved on both sides, etc. It is made known herewith that all those who have or still get the same opinion shall give * * * what they want to contribute voluntarily.[10]

In a similar connection a Pennsylvania historian, U. J. Jones, makes the following statement regarding the Brethren:

> In the first place, let it be understood that we are in no particle indebted to them for one iota of the blessings of government we enjoy. They are strict nonresistants; and in the predatory incursions of the French and Indians, in 1756–63; and, in fact, during all the savage warfare, they not only refused to take up arms to repel the savage marauders and prevent the inhuman slaughter of women and children, but they refused in the most positive manner to pay a dollar to support those who were willing to take up arms to defend their homes and their firesides, until wrung from them by the stern mandates of the law, from which there was no appeal.
>
> They did the same thing when the Revolution broke out. There was a scarcity of men. Sixty able-bodied ones among them might readily have formed a cordon of frontier defense, which could have prevented many of the Indian massacres which took place between 1770 and 1780, and more especially among their own people in the Cove. But not a man would shoulder his rifle; they were nonresistant! They might, at least, have furnished money, for they always had an abundance of that, the hoarding of which appeared to be the sole aim and object of life with them. But no; not a dollar! They occupied neutral ground, and wished to make no resistance. Again: they might have furnished supplies. And they did furnish supplies to those who were risking their lives to repel the invaders—but it was only when the almighty dollar accompanied the demand.

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[9] Godcharles, op. cit., p. 4.

[10] *Pennsylvania Berichte,* 1756, August 16, p. 4. Translated from the original copy in the Pennsylvania Historical Library, Philadelphia. As quoted in Rufus D. Bowman, *The Church of the Brethren and War* (Elgin, Ill.: Brethren Publishing House, 1944), p. 73.

> After the massacre of thirty of them, in less than forty-eight hours, Colonel Piper, the lieutenant-colonel of Bedford County, made a stirring appeal to them. But it was of no avail; they were nonresistants, and evidently determined to stay such.[11]

The Church Discipline of Resisters

Not every member of a church followed in practice the tenets held by the majority with regard to nonviolence. This is shown by another instance reported from the same source. But the discipline of a church toward its members who resisted others by arms, was often severe enough to force rigid conformity to the principle. A Pennsylvania Dunkard, in defense of his mill and his life, killed two Indians who were stragglers from a group which had massacred a Dunkard community. He then left the scene of the slaying to seek help and while he was gone his mill was burned by the remaining tribesmen. The Dunkard was later subjected to excommunication action by his church. In spite of this, he rebuilt the mill. But the Dunkards, who had been his main support, refused to patronize him any more, and he was finally forced to abandon his business.[12]

Recognition During the Revolution

In the early days of the American Revolution each colony organized its own militia and all able-bodied white male citizens within broad age limits were asked to band together for the common defense. Those who had scruples against so doing were called "nonassociators." The Assembly of Pennsylvania again gave full recognition to its conscientious objectors by addressing a plea for mutual understanding and cooperation to all citizens on June 30, 1775:

> The House taking into consideration that many of the good people of this Province are conscientiously scrupulous of bearing of arms, do hereby earnestly recommend to the Associators for the Defense of their Country, and others, that they bear a tender and brotherly regard toward this class of their fellow-subjects and Countrymen; and to these conscientious people it is also recommended, that they cheerfully assist, in proportion to their abilities, such associators as cannot spend their time and substance in the public service without great injury to themselves and families.[13]

During the summer of 1775 the Continental Congress likewise adopted a strong resolution on July 18 stating that the religious beliefs of nonresistant groups would be respected, but admonishing them regarding their behavior. This resolution read:

> As there are some people who from Religious Principles cannot bear Arms in any case, this Congress intend no Violence to their Consciencies, but earnestly

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[11] U. J. Jones, *History of the Early Settlement of the Juniata Valley* (Philadelphia : Henry B. Ashmead, 1856), pp. 208–209.

[12] Ibid., pp. 215–216.

[13] *Votes and Proceedings of the House of Representatives of the Province of Pennsylvania. Beginning the Fourteenth of October, 1767* (Philadelphia : 1776), vol. VI, p. 594.

> recommend it to them to *Contribute Liberally*, in this time of universal calamity, to the relief of their distressed Brethren in the several Colonies, and to do all other services to their oppressed country, which they can consistently with their Religious Principles.[14]

Thus the tradition of a democratic approach to believers in nonviolence which had grown up with a number of the colonies was again reiterated by them and in addition it was espoused by the Continental Congress for all of the citizens in all of the colonies. The latter was done even in a time of national peril just as the early Colonial commitments had been made in the face of emergencies due to Indian dangers.

A Revolutionary Controversy over Objection

However, there apparently was a growing feeling in Pennsylvania and perhaps elsewhere that those of nonresistant faiths were "getting off too easily," as far as helping in the war of the Revolution was concerned. Patriotic interest and the difficulty of financing military campaigns caused protests to mount against the leniency shown conscientious objectors. A memorial regarding the problem was therefore presented to the House of Representatives of the Province by the officers of the Military Association for the City and Liberties of Philadelphia on September 27, 1775. The essence of this was:

> The Memorialists, with great Concern, perceive that fatal Mischiefs will arise to the Association from the Lenity shown towards Persons professing to be conscientiously scrupulous against bearing Arms;—that People sincerely and religiously scrupulous are but few in Comparison to those who upon this Occasion, as well as others, make Conscience a Convenience;—that a very considerable Share of the Property of this Province is in the Hands of People professing to be a tender Conscience in military Matters;—that the Associators think it extremely hard that they should risk their Lives and injure their Fortunes in the Defense of those who will not be of the least Assistance in this great Struggle;—that the Memorialists therefore humbly conceive that some decisive Plan should be fallen upon to oblige every Inhabitant of the Province either with his Person or Property to contribute towards the general Cause, and that it should not be left, as at present, to the Inclinations of those professing tender Conscience, but that the Proportion they shall contribute, may be certainly fixed and determined.[15]

On October 20, 1775, a Committee of the City and Liberties of Philadelphia likewise addressed a similar petition to the House. The following day still further petitioning was done. This was by the Committee of the Privates of the Association of the City of Philadelphia. Regarding the point at issue, the second petition stated, among other things—

> That the Petitioners do therefore humbly pray the Honourable House in their Wisdom to recommend to their Constituents some general plan of a Militia Law,

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[14] *Minutes of the Provincial Council of Pennsylvania,* op. cit., Vol. X, p. 293.

[15] *Pennsylvania Archives,* Eighth Series, vol. VIII, (Harrisburg: 1935), pp. 7259–7260.

which shall equally extend to all the good people of this Province, and that any indulgence which may be thought necessary to be granted by the House to any Freemen of the Province may be equally open to all, and granted on such Terms as the House may think adequate to the many difficult and dangerous Services of those who are willing to hazard their Lives and Fortunes in Defence of their Country; * * *.[16]

The Quaker Statement on the Controversy

"The People called Quakers," having been "favoured" with information regarding the foregoing, expressed their own concern over the matter in an address received by the House on October 27, 1775. The following are pertinent parts of this:

> It is well known, that for above One Hundred Years past we, as a religious Society, have declared to the World that we could not for Conscience Sake bear Arms, nor be concerned in warlike Preparations, either by personal Service or by paying any Fines, Penalties or Assessments, imposed in Consideration of our Exemption from such Services.
>
> That for many Years after becoming a distinct religious Society, our Ancestors suffered many grevious Persecutions and Oppressions for adhering to these our religious Principles, which we are convinced are founded on the Example and express Injunction of Christ our Lord and Lawgiver.
>
> That in Expectation of being entirely relieved from the divers Oppressions, to which they were subjected on this and other Accounts, and of enjoying perfect Liberty of serving God, and of walking before him in the Way and Manner they believed to be most agreeable to him, our Ancestors were induced to leave their native Land, and encounter the Dangers and Difficulties of settling this, then a Wilderness; and although they were assured that our Honourable Proprietor William Penn was united with them in religious Profession and Principles, yet in order to secure this inestimable Privilege of Liberty of Conscience to themselves and their posterity in the fullest Manner they could, before they came from their native Land, they entered into a solemn Contract with him for this Purpose, as appears the 35th Section of Laws, agreed upon in England, the 5th Day of the Third Month, 1682, in the following Words, viz.
>
> "That all Persons living in the Province, who confess and acknowledge the one almighty and eternal God to be the Creator, Upholder and Ruler of the World, and that hold themselves obliged in Conscience to live peaceably and justly in civil Society, shall in no wise be molested or prejudiced for their religious Persuasion, or Practice in Matters of Faith and Worship, nor shall be compelled at any Time to frequent or maintain any religious Worship, Place or Ministry whatsoever."
>
> * * * * * * *
>
> We therefore earnestly entreat you carefully to guard against any Proposal or Attempt to deprive us and others of the full Enjoyment of Liberty of Conscience, and that the solemn Assurance given us in the Charter, that we shall not be obliged "to do or suffer any Act or Thing contrary to our religious Persuasion, "may not be infringed.—The Power of judging respecting our Sincerity belongeth only to the Lord of our Consciences, and we hope in a Province heretofore remarkable for the Preservation of Religious and Civil Liberty, the Representatives of the People will still be conscientiously careful that it may remain inviolate.[17]

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[16] Ibid., pp. 7312–7313.

[17] Ibid., pp. 7326–7330.

After this expression had been delivered to the House each of the three groups making the representations previously referred to petitioned and remonstrated additionally and took specific exception to certain of the things the Quakers had said. Consequently the argument was drawn tighter but appears not to have been measurably advanced. The Committee of the City of Philadelphia did "positively say, that the Scriptures of the Old and New Testament must be wrested and tortured, with more than Jesuitical Art, to furnish Argument to support them (the Quakers). They also deny, that the Clause in the Proprietary Charter, which they cite, is by them truly construed."

The Mennonite and Baptist Position

Next November 7, 1775, an address or declaration, "Signed by divers persons," was presented in behalf of the Society of Mennonists and German Baptists. The purport of this was more conciliatory and is characterized by these two paragraphs:

> The Advice to those who do not find Freedom of Conscience to take up Arms, that they ought to be helpful to those who are in Need and distressed Circumstances, we receive with Cheerfulness towards all Men of what Station they may be—it being our Principle to feed the Hungry and give the Thirsty Drink;—we have dedicated ourselves to serve all Men in every Thing that can be helpful to the Preservation of Men's Lives, but we find no Freedom in giving, or doing, or assisting in any Thing by which Men's Lives are destroyed or hurt. We beg the Patience of all those who believe we err in this Point.
>
> We are always ready, according to Christ's Command to Peter, to pay the Tribute, that we may offend no Man, and so we are willing to pay Taxes, and to render unto Caesar those Things that are Caesar's, and to God those Things that are God's, although we think ourselves very weak to give God his due Honour, he being a Spirit and Life, and we only Dust and Ashes." [18]

After deliberating over all of these various documents in a committee of the whole house, that legislative body adopted among others the following "Resolves" on November 8, 1775:

> Resolved, 2. That it is the Opinion of this Committee, that the military Association entered into for the Defence of this Province, ought to be continued, encouraged and supported.
>
> Resolved, 3. That it is the Opinion of this Committee, that it be recommended to all Male white Persons within this Province, between the Ages of Sixteen and Fifty Years, who have not already associated, and are not conscientiously scrupulous of bearing Arms, to join the said Association immediately.
>
> Resolved, 5. That it is the Opinion of this Committee, that all Male white Persons between the Ages aforesaid, capable of bearing Arms, who shall not associate of the Defence of this Province, ought to contribute an Equivalent to the Time spent by the Associators in acquiring the military Discipline, Ministers of the Gospel of all Denominations, and Servants purchased bona fide, and for valuable Consideration, only excepted.[19]

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[18] Ibid., pp. 7348–7350.

[19] Ibid., p. 7351.

The amount of the "contribution" in question was first fixed at two pounds and 10 shillings annually, but was changed a number of times during the course of the Revolution.[20] It was in effect a practical conscription for the nonresistant people as everyone was required to render military or naval service or to pay an equivalent in money. This precedent was followed by the draft laws of the Civil War, which also excused individuals from armed service upon the payment of a fine or commutation fee.

Virginia and Maryland Laws During the Revolution

The colonies of Virginia and Maryland also took significant legal action toward their conscientious objectors during this general period. In Virginia the laws regarding military service were at first liberal toward those who were averse to armed conflict. A law passed in November 1766 "(7th George III)" and entitled "An act to continue and amend the act for the better regulating and disciplining of the militia" in its provisions declared to be free and exempt "* * * all the people called Quakers."[21]

During the Revolutionary War, however, a petition was presented to the Virginia Convention on June 19, 1776,[22] setting forth that the petitioners had a tender regard for the conscientious scruples of every religious society, but suggesting that the Quakers and Mennonists be subjected to the payment of a certain sum in lieu of bearing arms. An ordinance subsequently passed on July 5, 1776, specifically included "all Quakers and Mennonists" for enlistment in the militia but also provided that—"the said Quakers and Mennonists shall not be obliged to attend general or private musters."[23]

While the law of Revolutionary days in Maryland like that in Virginia, was more liberal toward nonresistant citizens than the Pennsylvania legislation, it did on the other hand discern between religious objectors and those who objected because of "other motives." The records show the following action by the Maryland Convention on July 6, 1776:

> Resolved that the several Committees of Observation may, in their discretion, prolong the time or take security for the payment of any fine by them imposed for not enrolling in the Militia, and may remit the whole or any part of the fines by them assessed; and it is recommended to the Committees to pay particular attention, and to make a difference between such persons as may refuse from religious principles, or other motives.[24]

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[20] Wilbur J. Bender, "Pacificism Among the Mennonites, Amish Mennonites, and Schwenkfelders of Pennsylvania to 1783," *Mennonite Quarterly Review* (October 1927), vol. I, No. 4, pp. 21–48.

[21] Facsimile in Sel. Serv. Special Monograph No. 1, vol. II, part 14, pp. 249–253.

[22] *The American Archives,* compiled by Peter Force, Series IV, vol. VI, (Washington: M. St. Claire Clark and Peter Force, 1846) p. 1579.

[23] Ibid., p. 1613.

[24] Ibid., p. 1504. See also Sel. Serv. Special Monograph No. 1, Vol II (Washington: 1947), part 1: General Information, pp. 8, 15, 17, 19, 38–40; part 5: Maryland Enactments; part 14: Virginia Enactments.

This early distinction between opposition to military and naval service on the grounds of religion or for other reasons is of importance to later developments as will be seen.

A Proposed Constitutional Amendment After the War

It is interesting to note that following the Revolution and the organization of the Federal Government an apparent attempt to write a conscientious objection clause into the Constitution of the United States failed in the first session of the First Congress. When the bill of rights amendments were under consideration in the House of Representatives a clause was adopted on August 17, 1789, which would have amended article I, section 10 of the Constitution to include between the first and second paragraphs "the equal rights of conscience, the freedoms of speech or of the press, and the right of trial by jury in criminal cases, shall not be infringed by any State."[25] However, since the provisions of article I of the amendments as finally adopted, mention the "freedom of speech or of the press" phrase but omit reference to "equal rights of conscience," it may be assumed that the wording was changed during the deliberations of the Senate and was not reinstated at later conference meetings with the House.

From the Revolution to the Civil War

Although there does not seem to have been a great deal of conflict between nonresistant church members and the Government during the period between the Revolutionary and the Civil Wars, historic peace churches apparently maintained their position anyway with reference to participation in warfare during the intervening years. For instance, records show that shortly after the Revolution many members of these churches, Quakers and others, who had favored the war, and particularly those who actually took part in the fighting, were disciplined by their organizations.[26]

It appears that some difficulties were encountered during the War of 1812, because the Church of the Brethren took the following action in 1815:

> It has been discussed by us concerning the war matter, and it is agreed by all the brethren that a brother's sons who consider themselves according to the teaching of the brethren, "defenseless," and prove themselves to be such and wish to obey the teachings of the brethren, when these shall be hard pressed with the payment of fines they shall be assisted by the brethren according to the teachings of the apostle: Let us bear the burden of another thus you will fulfill the law of Jesus Christ.[27]

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[25] *Annals of the Congress of the United States,* 1st Cong., vol. I, (Washington: McGales & Seaton, 1834), p. 755.

[26] Bowman, op. cit., p. 104 and Sel. Serv. Special Monograph No. 1, vol. II, part 1, p. 8, note 13.

[27] Church of the Brethren, *Minutes of the Annual Meetings,* 1778–1909 (Elgin, Ill.: Brethren Publishing House, 1909), p. 40.

In 1817 the Annual Conference of the Church of the Brethren was asked, "Whether Brethren or their children may go on the muster ground or not." The following answer was made: "The counsel was that no member may go there, and prevent also their children from going on that ground, and not willingly permit it to them as long as they are under the parental authority; should a brother do so, he could not be in full fellowship with the church; for the Savior said to Peter, 'Put up thy sword into his place; for all they that take the sword, shall perish with the sword.' "[28]

Similar viewpoints are said to have been expressed by this church in 1822, 1835, 1845, and 1859.[29] Other evidences indicate the same general approach on the part of the other historic peace churches during this time.

Provisions Made by the States

On the other hand a number of individual States provided exemptions for the conscientious objector. The Pennsylvania constitution of 1838 stated in article VI, section II:

> The freemen of this Commonwealth shall be armed, organized and disciplined for its defense, when and in such manner as may be directed by law. Those who conscientiously scruple to bear arms, shall not be compelled to do so, but shall pay an equivalent for personal service.[30]

Other States provided through their constitutions for the exemption of nonresistance citizens from militia service in various, but often indefinite ways. For example, the constitution of Alabama, 1819, read:

> Article IV, Militia, Section 2. Any person, who conscientiously scruples to bear arms, shall not be compelled to do so, but shall pay an equivalent for personal service.[31]

The constitution of Texas, 1859, contained an identical provision[32] and that of Illinois, 1818, included language as follows:

> Sec. 2. No person or persons conscientiously scrupulous of bearing arms shall be compelled to do militia duty in time of peace, provided such person shall pay an equivalent for such exemption.[33]

This provision appeared likewise in the Illinois Constitution of 1870.[34]

In the meantime, the constitution of Iowa, 1846, made a similar statement, but also said that conscientious objectors should "pay an equivalent for such exemption in the same manner as other citizens."[35]

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[28] Ibid., p. 40–41.

[29] Bowman, op. cit., p. 105–106.

[30] *Pennsylvania Archives,* Fourth Series, vol. VI, (Harrisburg: 1900), p. 511.

[31] *The Federal and State Constitutions,* compiled by Frances Newton Thorpe, vol. I, (Washington: 1909), p. 105.

[32] Ibid., VI, p. 3359.

[33] Ibid., II, p. 1004.

[34] Ibid., p. 1044.

[35] Ibid., p. 1132.

The Kentucky constitution of 1850[36] and the Indiana constitution of 1851[37] contained almost the same provisions as did a proposed state constitution in the Territory of Kansas in 1855.[38] The present Kansas constitution includes a conscientious objection exemption clause adopted by amendment in 1888.[39]

The First Part of the Civil War

Thus by the time of the Civil War something of a State as well as a Colonial pattern for dealing with conscientious objectors existed in legislative documents. It remained for the Federal and Confederate conscription acts of that war to give the problem recognition in national law. These two draft enactments were in themselves somewhat constructive toward settling the issue of conscientious objection and further, they gave it status as a Federal rather than a local or State question as had been the case previously.

The passing of the Federal Militia Act of July 17, 1862, gave the President power to muster into service the militia of the ages 18 through 45. The enrollment was to be under State control unless the State laws were insufficient, and in such cases the President was empowered to make the necessary rules and regulations.[40] A call for 300,000 men was issued by President Lincoln on August 4, 1862, and five days later the Adjutant General issued General Order No. 99, regulating the enrollment and the drafting of these men. Neither the act nor the order was specific in the matter of exemption. However, the order did instruct the commissioner of enrollment to strike from the list the names of "all persons exempted by the laws of the respective States from military duty, on sufficient evidence, or on his personal knowledge that said persons belong to any of the aforesaid classes, whether the exemption is claimed by them or not."[41]

Substitutes and Commutation Fees

For the time being, then, the problem of handling conscientious objection, as such, was left to the individual State, as before. However, Order No. 99 did go on to provide broadly that "Any person so drafted may offer a substitute at the time of the rendezvous of the drafted militia force."[42] Within a few weeks thereafter arrangements were completed also for the conscientious objector to pay a commutation fee in lieu of service. The agreement on such fees was made between the Governor of a State and the Secretary of War. The amount of the fee ranged from $200 to $300 per man.[43] There was no complete satisfaction on either side with these two procedures and a few enrollees who were opposed to violence would use neither one.

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[36] Ibid., III, pp. 1306–1307.

[37] Ibid., II, p. 1089.

[38] Ibid., p. 1190.

[39] Ibid., p. 1253.

[40] *Statutes at Large, Treaties and Proclamations of the United States of America,* (Washington: 1863), 12 Stat. 597, 37th Cong., 2d Sess., vol. 12, ch. 201, pp. 597–600.

[41] Fred C. Ainsworth and Joseph W. Kirkley, *The War of the Rebellion* (Washington: U. S. Government Printing Office, 1899) Series III, vol. II, p. 333.

[42] Ibid., p. 334.

The Federal Conscription Law of 1863

In March 1863 Congress passed an "Act for enrolling and calling out the national forces" which had the effect of taking the administration of conscription out of the hands of the States. This law made no mention of conscientious objectors, but it did provide two methods by which anyone might be exempted from the draft. These were for the individual (1) to provide an acceptable substitute himself or (2) to pay $300 to the War Department for use in procuring a substitute. They were merely inclusions in the act of the provisions for substitutes from General Order No. 99 and the arrangements with the States for the payment of commutation fees.

The Army Suggestion of Hospital Service

Later in 1863, Gen. H. W. Halleck, General in Chief of the Army, was confronted with the question of what to do with conscientious objectors who came under his jurisdiction. Maj. Gen. John A. Dix wrote him the following letter from the Headquarters Department of the East, New York City, on October 24 of that year:

> The cases of Quakers who have conscientious scruples in regard to bearing arms or paying money as a commutation from military service may be provided for without injury to the public or objection on their part by assigning them to duty as nurses and attendants in hospitals.
>
> They do not object to being employed in nursing the sick and disabled, as it is a duty of humanity and of men capable of bearing arms, without any sacrifice of principle on the part of the Government. Several cases have occurred in this department, and I take the liberty of suggesting the adoption of the above rule to meet them and all others of the same character.[44]

First Federal Provisions, the 1864 Draft Law

This suggestion of the Army was of very much more than ordinary nature in that here for the first time apparently was noncombatant service designated within the confines of the Federal forces for those who were against bearing arms. Its significance becomes more evident in connection with a new draft act which was passed by the Congress on February 24, 1864. Therein the provision for hospital service appeared and thus the new statute became the first Federal law to provide for the special handling of conscientious objectors as such. Section 17 of the Act of 1864 read:

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[43] Ibid., pp. 587–590.

[44] Ainsworth and Kirkley, op. cit., Series III, vol. III, p. 922.

And be it further enacted, That members of religious denominations, who shall by oath or affirmation declare that they are conscientiously opposed to the bearing of arms, and who are prohibited from doing so by the rules and articles of faith and practice of said religious denominations, shall, when drafted into the military service, be considered noncombatants, and shall be assigned by the Secretary of War to duty in the hospitals, or to the care of freedmen, or shall pay the sum of three hundred dollars, to such person as the Secretary of War shall designate to receive it, to be applied to the benefit of the sick and wounded soldiers: *Provided*, That no person shall be entitled to the benefit of the provisions of this section unless his declaration of conscientious scruples against bearing arms shall be supported by satisfactory evidence that his deportment has been uniformly consistent with such declaration.[45]

As indicated, the legislation went somewhat farther than duty in hospitals. It also initiated service in the care of freedmen. It likewise included specifically for conscientious objectors the payment of a commutation fee in lieu even of either of these noncombatant duties. It should be added, however, that of the three alternatives open to objectors, the latter was used to the practical exclusion of the other two. The following letter of instruction from the Provost Marshal General to David Neport, outlined the procedure for paying the commutation tax and for securing exemption:

WASHINGTON, D. C., *Nov. 8th, 1864.*

Drafted persons who claim the benefit of section 17 of the Act approved Feb. 24th, 1864, and desire to avail themselves thereof must first satisfy the Board of Enrollment in their respective districts that they are noncombatants, within the meaning of the law.

The Provost Marshall will then give a Certificate to this effect to the drafted man and upon presentation of this certificate to the Receiver of Commutation money, he will receive the $300 (and the amount fixed by the Secretary of War), and issue his receipt therefor in triplicate—the duplicate thereof to be presented by the drafted person to the Board of Enrollment for their action.

JAMES B. FRY,
Provost Marshall General.[46]

Lincoln's Opinion Regarding Objectors

President Lincoln held an understanding attitude toward conscientious objectors. In answer to people who urged him to force Friends, Mennonites, and Brethren into the Army, he replied substantially as follows:

No, I will not do that. These people do not believe in war. People who do not believe in war make poor soldiers. Besides, the attitude of these people has always been against slavery. If all our people held the same views about slavery as these people hold there would be no war. These people are largely a rural people, sturdy and honest. They are excellent farmers. The country needs good farmers fully as much as it needs good soldiers. We will leave them on their farms where they are at home and where they will make their contributions better than they would with a gun." [47]

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[45] *U. S. Statutes at Large of the United States*, vol. 13, December 1863 to December 1865, (Boston: Little, Brown and Co., 1866). 13 Stat. 6.

[46] Bowman, op. cit., p. 127.

He also wrote, in part, as follows, to a Quaker correspondent, Eliza P. Gurney, during the days in 1864 when the draft was unpopular throughout the north:

> Your people—the Friends—have had, and are having, a very great trial. On principle and faith, opposed both to war and oppression, they can only practically oppose oppression by war. In this hard dilemma, some have chosen one horn and some the other. For those appealing to me on conscientious grounds, I have done, and shall do, the best I could and can, in my own conscience, under my oath to the law. That you can believe this I doubt not; and believing it, I shall still receive, for our country and myself, your earnest prayers to our Father in Heaven.
>
> Your sincere friend,
>
> A. LINCOLN.[48]

At the end of hostilities Secretary of War Stanton said that President Lincoln and he had "felt that unless we recognize conscientious religious scruples, we could not expect the blessing of Heaven." [49]

Conscientious Objection in The Confederacy

The treatment of conscientious objectors in the Confederacy was generally parallel to that in the North. However, the convictions and expressions of the nonresistant church group against slavery as well as war brought them under more adverse criticism in the South. There appears to be little if any evidence, however, that the sympathies which objectors in the Confederacy may have had for the Northern cause inclined them to the commission of any overt act in favor of the Union.

Nevertheless, in the Southern States conscientious objectors were often accused of not participating in the war because of pro-Union sentiment. This was somewhat analogous to the situation during the Revolution when men believing in nonresistance were frequently branded as Tories because they refused to fight against the British, or the circumstances of World War I when some of those opposed to violence were often referred to as pro-German on the grounds that they were more or less of German ancestry.

Liberal Treatment in North Carolina

It has already been remarked that during the early period of the war the regulation of the draft in the South was carried on by the States, as in the North. Among the State laws of the Confederacy the militia bill of North Carolina, ratified September 20, 1861, was quite liberal toward the objector. Section 5 read in part:

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[47] J. E. Miller, *Stories from Brethren Life* (Elgin, Ill.: Brethren Publishing House, 1942), pp. 137–38.

[48] Wright, op. cit., p. 123.

[49] Ibid., p. 129.

> Persons having scruples of conscience against bearing arms, who shall produce to the captains of their respective districts certificates, signed by the clerks of their respective churches, that they are regular members thereof, and shall make oath or affirmation, before a justice of the peace, that they are from religious scruples, averse to bearing arms, and shall also produce a certificate from such justice of the peace that such oath or affirmation has been duly made, shall not be compelled to muster or perform military duty, except in cases of insurrection or invasion, or pay tax for said exemption, but they shall be subject to taxation in time of insurrection, invasion or war, and also furnish to their quota of men or pay an equivalent.[50]

Virginia's Church Membership Requirement

In addition to the North Carolina provision requiring statements of church membership in conscientious objection, the Virginia act of March 29, 1862, specified church membership at the time of the passage of the act. It also provided for a heavy commutation fee of $500 plus 2 percent of the assessed value of the applicant's taxable property. A portion of this "Act providing for the exemption of certain parties upon religious grounds" is quoted:

> That whenever, upon application for exemption to the board of exemption, it shall appear to said board that the party applying for said exemption is bona fide prevented from bearing arms, by the tenets of the church to which said applicant belongs, and did actually belong at the passage of this act, and further, that said applicant has paid to the Sheriff of the county or collector of taxes for the city or town in which said applicant resides, the sum of five hundred dollars and in addition thereto, the further sum of two per cent of the assessed value of said applicant's taxable property, then the said board, on the presentation of the receipt of said officers for said moneys, and after the said applicant shall have taken an oath or affirmation that he will sustain the confederate government, and will not in any way give aid and comfort to the enemy of the said confederate government, then the said board shall exempt the said applicant; *Provided*, That whenever said party may be unable, or shall fail to pay the sum of five hundred dollars, and the tax of two per centum of their property, he shall be employed (when liable to military duty) in the capacity of teamster, or in such other character as the service may need, which does not require the actual bearing of arms; *And provided further*, That the person so exempted do surrender to the board of exemption all arms which they may own, to be held subject to the order of the governor, for the public use.[51]

Adherence to Church Principles

It must not be assumed that at any time during the Civil War all of the members of a given pacifist church body followed the general tenets of their organization against military service. Some simply left the church of their own volition. Among these were Dr. Henry Geiger of Philadelphia, who upon entering the medical division of the

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[50] North Carolina General Assembly, *Public laws of its second extra session,* 1861 (Raleigh, N. C.: 1861), pp. 23–24.

[51] "Act providing for the Exemption of Certain Parties Upon Religious Grounds, March 29, 1862," *Acts of the General Assembly of the State of Virginia* (Richmond: 1862), ch. 25, pp. 50–51.

Army, resigned both his ministry and membership before taking this step. His letter written to the elders of the First Church of Philadelphia is said to have been accepted by the congregation after two separate readings and some serious discussion.

Many illustrative examples are cited of members whose names were removed from the church rolls as the result of their taking up Army service, and such practice continued to the end of World War I at least, although it was not very common during that war. In most cases, church members were restored without difficulty to good standing upon their return from service.

It has long been a common practice of conscientious objectors of perhaps a "less tender" conscience to accept service in the army as cooks or teamsters. An example of this during the Civil War was John A. Showalter who, after court martial for refusing to drill, finally consented to cook for the company.[52]

Early Confederate Legislation and Action

In April 1862 the Confederate Congress passed a law taking over from its States the authority for the draft and providing that any conscriptee could secure exemption by the hiring of a substitute. This act contained no specific mention of conscientious objectors as such. About six months later, on October 11, 1862, however, a new law was passed containing a large number of exemptions, among which was one relating specifically to religious objectors as follows:

> All persons who have been and are now members of the society of Friends, and the association of Dunkards, Nazarenes, Mennonists in regular membership in their respective denominations: *Provided*, Members of the society of Friends, Nazarenes, Mennonists and Dunkards shall furnish substitutes or pay a tax of five hundred dollars each into the public treasury.[53]

After the passage of the new legislation, the Confederate Adjutant General's Office issued the following regulation:

> *Orders from the Adjutant and Inspector General's Office, 1862, Sec. VIII.—Friends, Dunkards, Nazarenes, Mennonites.*—All persons of the above denominations, in regular membership therein on the 11th day of October, 1862, shall be exempt from enrollment on furnishing a substitute, or on presenting an enrolling officer a receipt from a bonded quartermaster for the tax of five hundred dollars imposed by Act of Congress, and an affidavit by the bishop, presiding elder, or other officer whose duty it is to preserve the records of membership in the denomination to which the party belongs, setting forth distinctly the fact that the party, on the 11h day of October, 1862, was in regular membership with such denomination.[54]

Subsequently, the Confederate Congress passed "An Act to Organize Forces to Serve During the War" on February 17, 1864, extending the age limits down to 17 and up to 50. It removed the provision for substitutes in general, but protected conscientious objectors who had already paid the tax for this purpose. The pertinent provisions which were in section 4 read:

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[52] Wright, op. cit., p. 170.

[53] Confederate States of America, *The Statutes at Large*, Feb. 8, 1861–Feb. 18, 1864 (Richmond: 1864), ch. 45, p. 78.

[54] Paul C. French, *We Won't Murder* (New York: Hastings House, 1940), p. 51.

> Nor shall those who have furnished substitutes be any longer exempted by reason thereof: *Provided*, That no person heretofore exempted on account of religious opinions, and who has paid the tax levied to relieve him from service, shall be required to render military service under this act.[55]

There was considerable question regarding what should be done with those opposed to war who had not previously paid their exemption fees. However, the Secretary of War for the South had been given broad exemption powers under the same enactment which said that he—

> under direction of the President, may exempt or detail such other persons as he may be satisfied ought to be exempted on account of public necessity, and to insure the production of grain and provisions for the army and the families of soldiers.[56]

The following order by the Bureau of Conscription, issued March 22, 1864, seems to show the Secretary's decision at the time:

> CIRCULAR No. 11.
>
> II. Upon general principles of justice, equity and necessity the Government is disposed to relieve persons between seventeen and eighteen and forty-five and fifty, members of the Society of Friends, Dunkards, etc. When they are in a condition to be detailed for agricultural pursuits, it may be done under the conditions imposed upon other classes of producers. When there are clerical employments or artisan or mechanical labors that they can perform they may be selected for these objects. Every case, however, should be referred to this Bureau for its action, allowing the parties to remain at their employments until action is taken.
>
> By command of Col. John S. Preston, superintendent:
>
> THOS. GOLDWAITE,
> *Acting Assistant Adjutant General.*[57]

New Legal Provisions of 1864

Another bill dealing with Confederate believers in nonresistance and nonviolence was passed and became law on June 7, 1864. It was known as "An act to amend so much of an act entitled, 'An act to organize forces to serve during the war' approved February seventeenth, eighteen hundred and sixty-four, as relates to the exemption of certain religious denominations." It contained two new ideas. In the first place, it contained specific authorization for exemption to members of the churches already mentioned who belonged to and were in regular association with these organizations at the time of the passage of the previous act, which date was 20 months earlier. Secondly, it provided for revoking exemption when obtained by fraud, misrepresentation or error. The legislation read:

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[55] *Confederate States of America, The Statutes at Large,* op. cit., ch. 65, p. 211.
[56] Ibid.
[57] Ainsworth and Kirkley, op. cit., Series IV, vol. III, p. 240.

> *The Congress of the Confederate States of America do enact,* That the Secretary of War shall be authorized to grant exemptions to the members of the various denominations of Christians mentioned in the exemption act of the eleventh of October, eighteen hundred and sixty-two, who, at that time, belonged to the same, and who were in regular association therewith, upon the terms and conditions specified in the act, or upon such other terms and conditions as he is authorized to allow exemptions or grant details under any of the clauses of the act approved February seventeenth, eighteen hundred and sixty-four, to which this is an amendment.
>
> Sec. 2. That the Secretary of War be, and he is hereby, authorized to revoke any such exemptions under the act aforesaid, when the same have been obtained by any fraud, misrepresentation or error.[58]

The first provision bears some relationship to the Virginia law and the second to the general distrust of objectors both of which have already been covered.

Statement on Cause for Distrust

There was a further indication or explanation of distrust for those who were exempted on the grounds of religious opposition to armed conflict. Judge J. A. Campbell, Assistant Secretary of War for the Confederacy, in his Circular No. 24 of June 27, 1864, after referring to the act of that year and to subsequent orders, made the following statement:

> It is understood that a large addition has been made to these denominations since the enactment of October, 1862, from families not previously connected with them. This has been a cause for distrust and probably led to the adoption of the precise language of the act.
>
> The department has exercised a liberal indulgence in favor of those who held or were supposed to hold conscientious scruples upon the subject of bearing arms, but there is no reason for affording any countenance to efforts to avoid the performance of public duty by hypocritical pretenses of a religious belief, which has no root in the conscience or influence on the conduct.
>
> By order:
>
> J. A. Campbell,
> *Assistant Secretary of War*[59].

There seems to be an interesting parallel, on the one hand, between the Civil War situation described by Judge Campbell concerning a religious belief which had no "influence upon the conduct," and the circumstances of the 1940's, on the other, when some men claimed to be conscientious objectors by reason of religious training and belief, but failed to follow any recognizable pattern of accepted moral or ethical conduct in everyday life. The fact that Secretary Campbell's statement followed by only three months the previously cited Federal Draft Act of February 24, 1864, which required that a declaration of conscientious objection should be supported by satisfactory evidence that the man's behavior had been consistent with his claim, gives reason to believe that there were in those days, as well as during World War II, individuals who, while declaring religious scruples, were not consistent in their practice of them.

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[58] Ibid., p. 494–495.

[59] Ibid., p. 515.

Southern Pressure on Objectors at War's Close

Pressure to obtain for the Army of the Southern States the services of every man available in the latter days of the war made the position of conscientious objectors precarious. Jefferson Davis, President of the Confederacy, was particularly insistent on reducing exemptions to the draft. The last bill reported on March 18, 1865, to the Confederate Congress as signed by President Davis, was an act to diminish the total number of exemptions.[60] This is said to have cancelled all of the existing exemptions which were based on religious grounds.

Conscientious Objection from Civil to World War

It appears that in the period between the Civil War and World War I there was little conflict between the conscientious objector and the Federal Government with respect to military or naval service. No need arose for conscription during the Spanish-American War of 1898 or other years of the period and at no time was pressure exerted upon objectors to enter the armed forces. Officially the historic peace churches did not turn aside from their stand regarding nonresistance, but they did from time to time offer some evidence of a more liberal attitude toward financial matters and opposition to war and with respect to recognition of those members who found that their individual consciences did permit them to serve in the Army or Navy.

For instance, the following queries came to the Church of the Brethren conference of 1870: "Is it considered right for a brother to take or receive a pension, back pay, or bounty, for services rendered to the government before he became a member of the church?" The answer was: "We think he may be allowed to do so."[61] Again in 1878 the annual conference was asked: "A son of a sister, whose husband is living, perished in the army: Is it right, under any circumstances for the sister to draw pension from the Government?" The conference answered: "It is."[62] On the other hand, a book entitled "The Brethren's Tracts and Pamphlets" which was published in 1900 made the following comment regarding the church's belief: "The doctrine of non-resistance is a fundamental doctrine of the Christian religion."[63]

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[60] *Journal of the Congress of the Confederate States of America,* 1861–65, (Washington: Government Printing Office, 1905), vol. 7, p. 796.

[61] *Minutes of the Annual Meetings,* 1778–1909 op. cit., p. 284.

[62] Ibid., p. 358.

The New Approach of World War I

The coming of World War I to the United States in 1917 marked the beginning of a totally new period in the treatment of the conscientious objector during a period of national emergency. In this war, conscription became personal, universal, and absolute; there was no provision whatsoever for the hiring of a substitute or the paying of a commutation fee. The Selective Service law which was provided in the Act of May 18, 1917, had this to say about those opposed to war and the armed forces:

> SEC. 4. * * * nothing in this Act contained shall be construed to require or compel any person to serve in any of the forces herein provided for who is found to be a member of any well-recognized religious sect or organization at present organized and existing and whose existing creed or principles forbid its members to participate in war in any form and whose religious convictions are against war or participation therein in accordance with the creed or principles of said religious organizations, but no person so exempted shall be exempted from service in any capacity that the President shall declare to be noncombatant; * * *[64]

Basic Liability of C. O.'s for Military Service

Apparently the Nation had decided that in spite of a two-century history of leniency, conscientious objectors, like all other able-bodied citizens within specified age limits, should be liable for military service under article I of the Constitution. It was noted that section VIII of the Constitution read:

> The Congress shall have power:
>
> * * * * * * *
>
> 15. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

What fundamental implication was this seen to have for those believing in nonresistance? It probably meant to the country that all able-bodied men were available on call as members of the unorganized militia, subject only to such laws as were enacted by Congress.

The public had apparently arrived at this conclusion before the passage of Selective Service legislation in 1917. At any rate, the National Defense Act, approved June 3, 1916, as amended, had already been set up as a control in such regard. First of all, section 57 of this act provided as follows by way of a general basis:

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[63] Church of the Brethren, *The Brethren's Tracts and Pamphlets* vol. 1 (Elgin, Ill.: Brethren Publishing House, 1900), p. 26.

[64] *Public Law No. 12, 65th Cong., 1st Sess.* (Washington: 1917).

> SEC. 57. COMPOSITION OF THE MILITIA
>
> The militia of the United States shall consist of all able-bodied male citizens of the United States and all other able-bodied males who have or shall have declared their intention to become citizens of the United States, who shall be more than eighteen years of age and, except as hereinafter provided, not more than forty-five years of age, and said militia shall be divided into three classes, the National Guard, the Naval Militia, and the Unorganized Militia.[65]

Next section 59 dealt specifically with men of nonresistance faith:

> SEC. 59. EXEMPTIONS FROM MILITIA DUTY.
>
> * * * and all persons who because of religious belief shall claim exemption from military service, if the conscientious holding of such belief by such person shall be established under such regulations as the President shall prescribe, shall be exempted from militia service in a combatant capacity; but no person so exempted shall be exempt from militia service in any capacity that the President shall declare to be noncombatant.[66]

Thus a positive legal approach of a Federal nature was taken to the problem of military service for those believing in nonviolence and this carried over into the Selective Service enactment of the next year.

Selective Service Regulations

As regards the Selective Service Regulations which were prescribed to administer the 1917 draft law, they did not deviate in any essential from the act. The second edition stated:

> *Classification Rules and Principles, section 79, rule XIV.*—Any registrant who is found by a local board to be a member of any well-recognized religious sect or organization organized and existing May 18, 1917, and whose then existing creed or principles forbid its members to participate in war in any form, and whose religious convictions are against war or participation therein in accordance with the creed or principles of said religious organizations, shall be furnished by such local board with a certificate (Form 1008, sec. 280, p. 225) to that effect and to the further effect that, by the terms of section 4 of the Selective Service law, he can only be required to serve in a capacity declared by the President to be noncombatant. He shall be classified, however, as is any other registrant; but he shall be designated upon all classifications, forms, records, certificates, and other writings of local and district boards in which his name appears by the insertion of a cipher (0) after his name.[67]

The Selective Service Questionnaire

The Selective Service Questionnaire (PMGO Form 1001), which each registrant was required to prepare as a basis for classification by his local board also followed faithfully in this respect the provisions of the new conscription law. Under the general heading "Claim for Exemption or Deferred Classification," a space was provided in the Questionnaire wherein a registrant could place a cross (X) to indicate that he was a "member of well-recognized religious sect or organization, organized and existing on May 18, 1917, whose then existing creed or principles forbid its members to participate in war in any form, and whose religious convictions are against war or participation therein." Then under series IX were the following instructions:

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[65] *Public Law No. 85,* 64th Cong., 1st Sess. (Washington: 1916).

[66] Ibid.

[67] *Selective Service Regulations,* op. cit., pp. 355–6.

SERIES IX. RELIGIOUS CONVICTION AGAINST WAR

Instructions.—Every registrant must answer the first question. If he answers "no," he need not answer the other questions nor sign his name. If he answers "yes," he must answer ALL the questions and sign his name.

Q. 1. Are you a member of a well-recognized religious sect or organization organized and existing May 18, 1917, whose then existing creed or principles forbid its members to participate in war in any form? If so, state the name of the sect or organization and the location of its governing body or head. A. 1. ______________________________. If your answer is "no," do not answer any other questions and do not sign your name.

Q. 2. By reason of your membership in such sect or organization, do you claim exemption from military service, except in some capacity declared by the President to be noncombatant? A. 2. ___________________.
(Yes or no)

Q. 3. State number of adherents of such religious sect or organization in the United States. A. 3. ______________________________.

Q. 4. When did said religious sect or organization adopt opposition to war as a part of its creed or principles? A. 4. ___________________.

Q. 5. When, where, and how did you become a member of such religious sect or organization? A. 5. ______________________________

Q. 6. Are your religious convictions against war or participation therein in accordance with the creed or principles of such religious sect or organization? A. 6. ______________________________

Q. 7. Give the name, location, and date of organization of the particular local church or congregation of which you are a member. A. 7. ___________________ ___________________.

____
(Signature of registrant)[68]

Registrants claiming exemption from combatant service in accordance with the above were not to be placed in a deferred class on this claim alone. In other words, men who declared themselves to be conscientious objectors were to be classified as any other registrant. However, no matter how they were classified, they were to be issued a Certificate of Exemption from Combatant Service (PMGO Form 1008) if found to qualify. This Certificate read as follows:

Certificate of Exemption from Combatant Service
Local board for ______________________________
Date ___________________

This is to certify that ______________________________ Order No. __________, Serial No. __________, has been found to be exempt from combatant service and is eligible only to such military service as may be declared noncombatant by the President of the United States.

____
Member of Local Board.[69]

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[68] Ibid., p. 198.
[69] Ibid., p. 225.

Pacifist Churches Not Listed in Regulations

Under the Selective Service program of World War I the administration of the regulations on "religious-creed members" was left wholly to the local boards of the System. No list was prepared of religious denominations recognized as existing on May 18, 1917, and professing a creed opposed to war in any form. Provost Marshal Gen. E. H. Crowder, in his second report (1919) to the Secretary of War on the operation of the draft[70] stated that the compilation of such a list was thought impracticable. He also said that no information had ever been required of the boards showing the churches which they had recognized. However, he went on to give the following data compiled from materials in the Bureau of the Census regarding the principal churches said to profess such a tenet:

> *Brethren in Christ:* The Yorker, or Old Order Brethren, and the United Zion's Children belong to this group; they believe that inasmuch as Christ is Prince of Peace His Kingdom is of peace and as his subjects they should abstain from the employment of carnal forces which involve the taking of human life; for this reason the doctrine of nonresistance is a prominent feature of their belief;
>
> *Christadelphians:* Conscientious scruple as to serving in the Army in the Civil War was the occasion for the organization of the body under this name;
>
> *Amana Society:* The members believe war to be contrary to the will of God and the teachings of Christ;
>
> *Churches of Christ:* This body has no published creed, but a leading elder stated that the churches believe in "nonresistance";
>
> *Church of the Brethren (Conservative Dunkers):* They hold that the bearing of arms is forbidden by the Sixth Commandment;
>
> *Old Order German Baptist Brethren:* Denominational practice calls for nonconformity to the world in war, politics, secret societies, dress, and amusements;
>
> *Brethren Church (Progressive Dunkers):* In doctrinal matters the Brethren Church is in general accord with the Church of the Brethren;
>
> *German Seventh-Day Baptists:* In general accord with other Dunkers;
>
> *Church of God (New Dunkers):* A new body in general accord with other Dunkers;
>
> *Friends (four bodies):* The official position of the Friends in regard to the war with Germany is practically the same as that taken by the Friends at the time of the American Revolution; they have simply reaffirmed their historic position in regard to all war;
>
> *Mennonites (16 bodies):* "Christ has forbidden his followers the use of carnal force in resisting evil and the seeking of revenge for evil treatment. Love for enemies can not be shown by acts of hatred or revenge, but by deeds of love and good will." (From Summary of Articles of Faith.)[71]

It is not definitely known what use was made of this compilation by the national Selective Service office in conscientious objector operations. But information of this nature was not issued to State and local units of the organization in connection with the regulations as a basis for uniformity throughout the System.

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[70] U. S. Provost Marshal General, *Second Report to the Secretary of War,* (Washington: U. S. Government Printing Office, 1919), p. 56.

[71] Ibid., pp. 56, 57.

Number of Conscientious Objector Claimants

Although there was no reporting by Selective Service local boards in 1917 and 1918 of the churches which they recognized as having nonresistance doctrines, some information was provided by them as to the number of claims made for exemption from combatant service and the number of such claims recognized. These data were probably incomplete in some respects and overlapping in other but by estimating the number of males aged 21 to 30 as being 20 per cent of the reported male membership of the churches listed above, the following comparison was made using the information provided by the boards:

Noncombatant religious creeds and conscientious objectors[72]

Total registrants (estimated) ages 21 to 30, professing noncombatant religious creed membership	55, 368
Total claims made for noncombatant classification	64, 693
Total claims recognized	56, 830

This statement is from the second report of the Provost Marshal General. From the same report and further data subsequently furnished by the local boards, it appears that of the 56,830 registrants given noncombatant consideration by the boards, 29,679 were classified in Class I and found physically fit for general military service. Of these, 20,873 were inducted into service from the beginning of mobilization to the termination thereof on November 11, 1918. During the entire period of the draft it is interesting to note that total inductions of every kind numbered 2,810,296.[73]

No information seems to be available regarding the number of men inducted whose claims were rejected by their own boards. Of the 20,873 registrants inducted into the Army with noncombatant classifications, however, it appears that slightly less than 4,000 were recorded as making official claims in camp, either by presenting their Certificates (P. M. G. O. Forms 1008) or otherwise, for exemption from combatant service or from all military duty.

Placing All Inducted C. O.'s Under Military Authority

Regardless of their claims, inducted conscientious objectors fell entirely within the authority of the armed forces under the direction of the President and of the Secretary of War. This was because all conscientious objectors, as well as other draftees, were considered to be members of the armed forces as soon as the induction order issued by their local boards became effective. The governing rule in this regard was:

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[72] Ibid., p. 57.

[73] U. S. War Department *Statement Concerning the Treatment of Conscientious Objectors in the Army* (Washington: U. S. Government Printing Office), p. 9.

SECTION 159D. INDUCTION BY LOCAL BOARDS.

Induction by Local Boards is accomplished by entering in column 24 of the classification list opposite the name of each registrant to be called for entrainment the day and hour on which the registrant is to report to the local board and by mailing, at the same time, to each such registrant an order (Form 1028, sec. 301, p. 250) to report to the local board for military duty at the hour, day, and place specified in said order, which shall be the same as that appearing in column 24 of the classification list after the name of such registrant. *From and after the day and hour thus specified each such registrant will be in the military service of the United States, and either the entry of such date after the name of any such registrant on the classification list or the mailing to any such registrant of the order into military service shall constitute the giving of notice to such registrant that from and after such day and hour he will be in the military service of the United States.*[74]

Separate Treatment of Objectors after Induction

Among the early significant orders of World War I which were issued by the War Department to the Army, regarding conscientious objectors, was that of September 25, 1917, in which it was stated that the "Secretary of War directs that selected Mennonites who report to your camp for duty be not forced to wear a uniform, as question of raiment is one of the tenets of their faith."[75] On October 10, 1917, the Secretary of War directed further that conscientious objectors be segregated and handled with tact and consideration.[76] They were not to be treated as violators of military law and it was instructed that reports of the actions taken and of the results obtained by the Army be submitted. This and other orders were issued confidentially and it was strictly enjoined that they be not given to the newspapers; it was felt that had they "been made public at the time they would undoubtedly have been means of creating a large number of insincere objectors."[77]

A Broader Scope of Exemption

In enacting the Selective Service law of 1917, Congress had provided for the exemption from combatant service of the religious objector only. That legislative body evidently had not regarded as worthy of consideration, any objection to military service on moral or conscientious grounds unless it had a religious foundation. However, an order from The Adjutant General of the Army, under date of December 19, 1917, extended the benefit of exemption from combatant service to those claiming to have scruples against participation in warfare, even when such scruples were not based on religion. The principal part of this order read as follows:

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[74] *Selective Service Regulations,* op. cit., p. 138.

[75] *Statement Concerning Treatment of Conscientious Objectors in the Army,* op. cit., p. 38.

[76] Ibid., p. 38.

[77] Ibid., p. 17.

> The Secretary of War directs that until further instructions on the subject are issued "personal scruples against war" should be considered as constituting "conscientious objection" and such persons should be treated in the same manner as other "conscientious objectors" under the instructions contained in confidential letter from this office dated October 10, 1917.[78]

It is interesting to note here some of the legislative history lying back of the enactment of the 1917 law. Regarding the requirement as written into the act that noncombatant service be provided only for those who were members of a "historic peace church," the Hon. Newton D. Baker, Secretary of War, stated at the Hearings of the House Military Affairs Committee:

> The religious-belief section is changed from that which you have in the National Defense Act, and which, in my judgment, is inoperable. In the National Defense Act you have an exclusion of any person who has conscientious beliefs against the bearing of arms. It is not exactly that language, but that is about what it is. That, of course, makes the question of exclusion purely a question of individual statement, and, as lawyers might say, of a self-serving declaration made after the event. We recommend that the provision be modified so as to exclude or exempt those who are actually members of a recognized society which has, as one of its tenets, the disapproval of war.[79]

At another time during the hearings, the following significant discussion also occurred:

> Mr. QUIN. What justification can the department put up for exempting persons of religious belief against fighting? I believe everybody ought to fight, and would not propose to exempt any man.
>
> Secretary BAKER. Of course, the justification is that the men at the front cannot fight unless the men at home provide them with the things to fight with.
>
> Mr. QUIN. But I am talking about the religious exemption.
>
> Secretary BAKER. That is a historic question. It is a part of the policy of the Government to allow liberty of conscience, and where men are actually members of religious bodies which have entertained that view, they have never been required in this country to fight.[80]

It appears further that at one time the wording of the bill under consideration provided for absolute exemption. The following is quoted in such regard:

> Mr. ANTHONY. In reference to the exemption of those having certain religious beliefs, in some previous recommendation of the department I thought I saw a provision that would provide for service for these people in the noncombatant corps of the Army.
>
> General CROWDER. That is in the National Defense Act and is repeated here, except the terminology employed is "partial service" and not "noncombatant service."
>
> Mr. ANTHONY. Would not that really be a better provision for the Government?
>
> Secretary BAKER. Gen. Crowder says that is provided here—partial service.
>
> General CROWDER. Not as applying to the religious classes.

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[78] Ibid., p. 39.

[79] *Hearings on the Selective Service Act before House Committee on Military Affairs, 65th Cong., 1st Sess., April 14 and 27, 1917,* (Washington: 1917), p. 9.

[80] Ibid., p. 85.

Mr. ANTHONY. As I understand your position, if they are members of these religious orders they are totally exempted.

General CROWDER. That is right. This bill differs from the National Defense Act in one regard. Under the National Defense Act they could be drafted for noncombatant service. Here the exemption is complete for the religious people.

Mr. ANTHONY. It occurs to me that as the class of men you propose to draft under this bill are to be from 19 to 24, and all active young men, their religious beliefs must be rather immature, and would it not really be better to give them service in the noncombatant corps?

Secretary BAKER. I have no objection to that.[81]

Another interesting technical consideration was brought up in a recent book on the subject wherein it was said:

> The original draft of this provision had read as follows: "No person shall be exempted from military service in any capacity that the President shall declare to be noncombatant." After the hearings on the bill had been closed, however, and before the bill was finally brought to the floor of the House, the word "military" was stricken out, making it possible for the President to define noncombatant service as nonmilitary or civilian service, if he saw fit to do so. This change in wording was made, at the last moment, as the result of a personal appeal by P. H. Richert through the Chairman of the House Committee on Military Affairs.[82]

As will appear later, this did not make a very significant difference in the World War I program for conscientious objection. When the furlough of soldiers including objectors, to agriculture and industry was finally authorized, the action was taken under a separate law. However, the broadened concept of exempting any conscientious objector instead of just the religious one bore fruit later in that the Selective Training and Service Act of 1940 contained provisions which had somewhat wider coverage.

Wilson's Definition of Noncombatant Service

President Woodrow Wilson on March 20, 1918, issued an Executive order defining noncombatant service and expressing in comprehensive form his policy as regards men whose beliefs made them opposed to resistance and violence. This was subsequently published by the War Department as General Orders No. 28 on March 23 of that year.[83]

The first paragraph quoted section 4 of the 1917 Act and declared certain service within the Army as noncombatant. This included duty with the medical department wherever performed. It covered also any service in the Quartermaster Corps and Corps of Engineers, if performed in the United States, and certain service in these organizations abroad.

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[81] Ibid., p. 88.

[82] Guy F. Hershberger, *War, Peace, and Nonresistance* (Scottsdale, Pa.: The Herald Press, 1944), p. 116.

[83] *Statement Concerning Treatment of Conscientious Objectors in the Army,* op. cit., pp. 18, 39–41.

The second paragraph provided for two classes of conscientious objectors: first, those who had received the Certificate of Exemption from Combatant Service (PMGO 1008) from their local boards, and, second, those who objected to participation in war "because of conscientious scruples but have failed to receive certificates as members of a religious sect or organization from their local board." It directed the assignment of all these men to noncombatant service to the extent they were able to accept such service "without violation of the religious or other conscientious scruples by them in good faith entertained." Commanding officers were directed to explain the character of noncombatant service, as defined, and to secure acceptance of the order insofar as possible. Upon acceptance of noncombatant service each soldier was to be given a certificate which would "thereafter be respected as preventing the transfer of such persons from such noncombatant to combatant service by any division, camp, post or other commander under whom said person may thereafter be called to serve, but such certificate shall not prevent the assignment of such person to some other form of noncombatant service without his own consent." As far as feasible, noncombatant assignments were restricted to the medical department in the absence of a specific request for assignment to some other branch.

The third paragraph contained a requirement for monthly reports on men who were unwilling to accept noncombatant military service. Such men were to be segregated and handled with tact and judgment. Commanding officers were instructed to impose no "punitive hardships" upon these men but not to allow any consideration beyond exemption from "active military service."

The fourth paragraph recommended uniformity of penalties in sentences of courts martial and prescribed confinement in the United States disciplinary barracks in cases of desertion. The final paragraph provided for the revision of court martial sentences imposed prior to this order with a view to possible remedial action by the President.

Noncombatant Service Outside the Army

As indicated by the last three paragraphs of the President's policy statement and by General Orders No. 28, the Army was experiencing difficulty in getting some inducted objectors to cooperate in its program of noncombatant duty. This particular issue was further recognized by the Secretary of War in an order dated April 27, 1918. It directed, for instance, that any conscientious objector should be promptly brought to trial by court martial (*a*) if his attitude in camp was sullen and defiant, (*b*) if his sincerity was questioned, or (*c*) if he was active in propaganda.

In the meantime, however, officials of the historic peace churches had become interested in the situation. They had requested of President Wilson and Secretary Baker and of Provost Marshal General Crowder, who was in direct charge of the draft, that conscientious objectors to noncombatant military service, be assigned to noncombatant activities in agriculture and peaceful industries.[84] Thus the idea of duty outside of the armed forces which appeared at least in the State of North Carolina during the Civil War again came to mind in connection with Federal conscription during World War I. The precedent for the-work-of-national-importance concept of 1940 was in process of development.

As early as September 1, 1917, a committee of Brethren had an interview with Secretary Baker to discuss the problem in general. It is said that on the occasion of a previous meeting of a Mennonite committee with the Secretary certain statements had been made verbally which had been summarized as follows:

> 1. That none of our brethren need serve in any capacity which violates their creed and conscience.
> 2. When they are called, they should respond at the place designated on their notice.
> 3. From the place designated on their notice, they should go with others, who are drafted and called, to the training camp.
> 4. Report to the army officers the church to which they belong, and their belief in its creed and principles.
> 5. This nonresistant position will place them in detention camps where they will be properly fed and cared for.
> 6. In these camps, they will not be uniformed or drilled.
> 7. A list of services considered noncombatant will be offered, but they need not accept any in violation of their consciences.
> 8. Those who cannot accept any service, either combatant or noncombatant, will be assigned to some other service, not under the military arm of the government.
> 9. Our ministers will be allowed to visit the brethren at these camps and to keep in touch with them.
> 10. Our ministers will be privileged to give this information and advice in private or in public meetings.[85]

At the conference with the Brethren's committee this statement was brought to the attention of the Secretary. After reading it over carefully, he said that it was substantially what he had told the Mennonite committee, except that item No. 8 contained commitments which he was not yet ready to make. To the Brethren, he is reported to have said:

> It would not be within my province, at this time, to say finally: "Those who cannot accept noncombatant service will be assigned to some other service not under the military arm of the government." It may possibly be so, but that would

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[84] Bowman, op. cit., pp. 181, 183. Hershberger, op. cit., pp. 117–19.

[85] Bowman, op. cit., p. 201.

have to be worked out, and on the absolute refusal to obey orders and accept assignments from officers in charge, some might be imprisoned for the time. But provisions will be made for adjustment. Go as far as you can, and all claims for conscience will be heard.[86]

An Opinion on Outside Noncombatant Service

A detailed opinion, issued shortly thereafter for the Secretary of War, evidently was developed because of the issue on whether conscientious objectors could substitute service outside of the armed forces. It was released by the Judge Advocate General of the Army and stated that under existing laws duty in the Red Cross or on farms in the production of food could not be considered as a means of relief from noncombatant military service. Congress had apparently been considering the question also and following the opinion of the Judge Advocate General took action to rectify its legislation in such regard.

Congressional Authorization of Furloughs

On March 16, 1918, an act of Congress provided for the Secretary of War to grant furloughs without pay and allowances to enlisted men, and on May 31, 1918, the acting Judge Advocate General advised the Secretary of War that he was now authorized to furlough conscientious objectors under the new law.[87]

Provisions for farm and industrial furloughs were thereupon established by orders from the Adjutant General of the Army under dates of June 1, June 10, and July 30, 1918.[88] In general these orders provided that a monthly report as to the industry of each person so furloughed should be received from disinterested sources and that the furlough might be terminated upon receipt of a report that the man was not working to the best of his ability. They also said that bona fide employment should be obtained at the prevailing wage rate for the class of work in which the man was engaged, and that no person should be recommended for furlough who did not voluntarily agree that he would receive for his labor an amount no greater than a private's pay, plus an estimated sum for subsistence, if such was not provided by the employer, with any additional amount which was paid for his services being contributed to the American Red Cross.

Creation of a Board of Inquiry

On June 1, 1918, the Secretary of War constituted a board of inquiry which visited various Army camps during the remainder of the war period to hold hearings for men who claimed to be conscientious objectors.[89] This board was composed of a representative of the Judge

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[86] Ibid., p. 202.

[87] *Statement Concerning Treatment of Conscientious Objectors in the Army,* op. cit., p. 19.

[88] Ibid., pp. 42–47.

[89] Ibid., pp. 43, 45–47.

Advocate's Office, Maj. Richard C. Stoddert, chairman, (later Maj. Walter G. Kellogg), Judge Julian W. Mack of the Federal Court, and Dean Harlan F. Stone of the Columbia University Law School. These men were to interrogate personally each individual whose case was referred to them and to recommend what action was to be taken. It was the function of the board to determine the sincerity of men professing objection, both as to refusal to perform noncombatant service and with regard to the performance of combatant service.

It was provided that in exceptional cases the board might recommend furlough for service in France in the Friends' reconstruction unit. Two other types of special duty were established. One of these was work in reconstruction hospitals of the medical department of the Army where the patients were not to be returned to military service. The other was labor in the reclamation branch of the Quartermaster Corps where the activities comprised laundry, salvage, clothing renovation, shoe repair, transportation repair, and motor truck company service.

Summary of the Board's Recommendations

This board of inquiry examined a total of 2,294 alleged conscientious objectors between June 1918 and January 1919. It determined that 1,978 were sincere either as to objection regarding combatant or noncombatant service and made the following recommendations:[90]

For furlough to agriculture or industry	1, 500
For furlough to Friends' reconstruction unit	88
For assignment to noncombatant service	390
For assignment to combatant service as insincere	122
Not finally classified	194
Total	2, 294

However, the Army had to deal with a total of 3,989 men who claimed exemption, not all of whom came to the attention of the Board. The disposition of all of these cases at camp during the war on account of religious or other conscientious objection was estimated as follows:[91]

Accepted for noncombatant service	1, 300
Furlough to agriculture and industry	1, 200
Furloughed to Friends' reconstruction unit	99
Remaining in camp after armistice and unassigned:	
Sincere objectors to combatant service	225
Sincere objectors to both combatant and noncombatant service	715
General court-martial prisoners	450
Total	3, 989

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[90] Ibid., p. 24.
[91] Ibid., p. 25.

Results of Court Martial Trials

From the beginning of the draft to June 7, 1919, there were 504 trials of conscientious objectors by general court martial, principally for disobedience of orders and desertion. A small proportion of the cases involved disloyalty, sedition, and propaganda. General statistics on the 504 are:[92]

Tried by courts-martial	504
Acquitted	1
Subtotal convicted and sentenced	503
Sentences disapproved—	
By reviewing authorities	3
By recommendation of Judge Advocate General	50
Subtotal	53
Final effective sentences	450

Success of the Furlough Plan

The difficult task of administering the furloughed conscientious objectors was given to Mr. R. C. McCrea, of Columbia University, and it is said that the project "proved highly successful."[93] For the most part the men entered on their work with a desire to make the program succeed.

Maj. W. G. Kellogg, a member of the President's board of inquiry, gave an interesting description of his visit to a farm in a western State where some 60 conscientious objectors had been furloughed tentatively pending examination by the board of inquiry.[94] This was a corn farm of 6,500 acres. The rate of pay for the men was $2.50 per day. Out of this the objector received $30 per month and the remainder went to the American Red Cross. The men were quartered in a large dormitory and appeared to be well cared for. All but one objector were said to have expressed satisfaction with their surroundings.

After the Armistice, the owner of the farm came to Washington to plead that the men be left on his farm until about the first of the new year. He is credited with the following:

> The report that he gave of them was most reassuring. They had, as a rule, worked faithfully and had proved very capable farmers—in fact, he had never had a better force of men on his farm. From his own observation of them, and from the reports which had come to him from his foreman, he believed that they were, in the main, sincere. He believed this, he said, in spite of the fact that

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[92] Ibid., pp. 51, 52.

[93] Walter Guest Kellogg, *The Conscientious Objector* (New York: Boni and Liveright, 1919), p. 76 et seq.

[94] Ibid., pp. 78–80.

some of the objectors occasionally swore at the mules; later he qualified this seeming evidence of insincerity by characterizing forcibly the average Iowa mule. Outside of the fact that some of them had taken up smoking and that one or two, upon leaving, had requested the pay which previously they had refused to accept, he saw no reason to think, after all the weeks they had spent on his farm, that the great majority of them were other than absolutely conscientious. He was suspicious, he said, of two or three, but only suspicious.[95]

Discharge of Conscientious Objectors

Conscientious objectors who were assigned to noncombatant service were discharged on the same basis as were other soldiers with similar assignments. War Department orders dated November 29 and December 11, 1918, provided for the release of sincere conscientious objectors who had not been assigned to duty, and also for the recall and discharge of furloughed men "after consultation with the employer to detemine whether it is in the best interest of all concerned, and at the request of the soldier." [96]

Conscientious objectors who had been furloughed to the American Friends Service Committee for work in France were apparently discharged early in 1919. Copies of War Department correspondence available in the National Archives war records office show that such action was contemplated as of January 2, 1919. The men were to be separated with the understanding that they would continue to serve the Friends committee in its reconstruction work in France and that the committee would assume all responsibility for and expense of bringing them back to the United States when their term of service with the committee expired.

As regards conscientious objectors in the Army who were totally uncooperative, a letter addressed to the Hon. James W. Wadsworth of the United States Senate under date of February 14, 1920, by General Peyton C. March, Chief of Staff, in speaking of the "so-called conscientious objector class" stated "only six remain in confinement at the Pacific branch, United States disciplinary barracks." [97] The sentences of all objector prisoners were eventually commuted, however, and the last one was released from prison in November, 1920.[98] The form of separation for this type of objector was neither honorable nor dishonorable but was a simple "blue ticket" discharge. The reason for separation was stated as "this is a conscientious objector who has done no military duty whatsoever and who refused to wear the uniform."

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[95] Ibid., pp. 78–80.

[96] Ibid., pp. 51, 52.

[97] From carbon copy of unpublished letter in the National Archives, War Records Office, Washington.

[98] American Friends Service Committee, *An Introduction to Friends Civilian Public Service* (Philadelphia : 1945), p. 39.

A Statement on World War I Experience

The Third Assistant Secretary of War issued a statement through the Committee on Public Information under date of September 28, 1918, summarizing the manner of handling conscientious objectors near the end of the war, part of which follows:

> The War Department's policy regarding conscientious objectors has from the beginning been based on the provisions of the Federal draft law and subsequent Executive orders. It has been the liberal American policy of according a measure of self-determination to the few who will in all sincerity have not been able to adjust their minds to the needs of the present sudden and desperate emergency; to whom direct participation in the war would violate religious convictions, as well as a sense of self-respect and integrity of character.
>
> In dealing with objectors the difficulties have not been primarily those of policy, but of practical procedure. First of all the insincere have had to be differentiated from the sincere, and forced into full service or subjected to fitting penalties. The second difficulty has concerned the disposition of sincere objectors in ways that would conserve the manpower of the Nation. This has been complicated by misunderstandings and by peculiar local situations; but with growing experience many complications have been eliminated as requisite governmental machinery to this end has been perfected.
>
> The usual procedure as thus far developed is as follows: A draftee is certified as a conscientious objector by his local board on proper presentation of facts. On call he goes to a cantonment as does any other drafted man. He there has a hearing before a board of inquiry on conscientious objectors, * * *.
>
> The board of inquiry passes on the sincerity of objectors. Those adjudged insincere are required to perform regular military service, in default of which they are subjected to court martial and remanded to the disciplinary barracks at Fort Leavenworth. Those adjudged sincere are encouraged to enter noncombatant military service; and many have done so. But those whose convictions prevent this are furloughed to various forms of service under the jurisdiction of a civilian commissioner of the department who has supervisory and recommendatory powers. The vast majority of objectors have been lifelong members of religious sects the tenets of which forbid participation in war. Most prominent among these are the Society of Friends, the Mennonites, the Dunkards, the Christadelphians and various minor sects such as True Lights, Holy Jumpers, and others little known outside of restricted and isolated areas. A large proportion of the Friends have been furloughed by the board to the Friends' reconstruction unit, an organization operating under the American Red Cross in the work of rebuilding devastated areas in France. Others are furloughed mainly into agricultural service * * *.
>
> In other instances, objectors are furloughed in groups to harvest apple, corn, or other crops in danger of loss because of local labor shortage; to undertake work of land reclamation; to carry on large scale farming operations in the West, or to reduce the labor shortage in State institutions for defectives, which are often in dire straits because their regular force has been cut down by the Army draft or drawn off by their high wages current in outside employments * * *.
>
> In short, every effort is being made to respect the sincere scruples of a small minority of our people, at the same time that their power to contribute to the Nation's efficiency is turned to good account. There is unquestionably strong sentiment in many quarters against the granting of immunity from military service to any group in our population, however small. But many objectors

> are not without the courage of their convictions. They would resist compulsion to the end. We might imprison or shoot them. But Prussian practices such as these would hardly appeal in a Democracy. On the other hand, a method which conserves the manpower of the Nation, and accords to furloughed objectors a lot that is endurable and serviceable, but in no sense pampered, will, it is believed, commend itself to the common sense and practicability of the American people.[99]

Comments of Harlan Stone

Some of the philosophy held during World War I by the late Chief Justice of the United States, Harlan F. Stone, in regard to conscientious objection is very interesting. As a member of the Army's Board of Inquiry he was in close touch with those opposed to warfare and armed forces. In concluding this chapter, therefore, three paragraphs are quoted from an article which he wrote for the *Columbia University Quarterly* several months after the end of the War:

> There remains the larger question whether there is any basis in morals or sound policy for exempting the conscientious objector from liability to military service. It has long been the settled policy of the English common law that conscientious or good motives afford no legal excuse for acts which transgress a rule of law. Libel or blasphemy that good may come, or the practice of acts defined by law to be unlawful, because the doer believes them to be moral or religious, has never been considered by the English law to be a defense to a criminal charge. Viewed in its practical aspects, however, there may be and probably is a very radical distinction between compelling a citizen to refrain from acts which he regards as moral but which the majority of his fellow citizens and the law regard as immoral or unwholesome to the life of the state on the one hand, and compelling him on the other to do affirmative acts which he regards as unconscientious and immoral. The action of the state in compelling the citizen to refrain from doing an act which he regards as moral and conscientious does not in most instances which are likely to occur do violence to his conscience; but conscience is violated if he is coerced into doing an act which is opposed to his deepest convictions of right and wrong. The traditional view of the common law that right motives are no defense for crime and should not stay the hand of the law gives very little clue, therefore, to the sound method of dealing with the conscientious objector to war, in the realm of either morals or policy. However rigorous the state may be in repressing the commission of acts which are regarded as injurious to the state, it may well stay its hand before it compels the commission of acts which violate the conscience.
>
> It is the easy but undiscriminating and shallow way to dispose of the case of the conscientious objector by denouncing him as a coward and slacker. That many, if not most of his numbers, are muddle-headed and inconsistent in their theories of life increases the difficulty of the problem; but their evident sincerity and willingness to suffer to the end rather than to yield up their cherished illusion make impossible the wholesale condemnation of the conscientious objector as a coward and a slacker. That any considerable number of our citizens at a time when we were making our supreme national effort should defy our laws and refuse to participate in it is a serious matter; but the violation of the conscience of the individual by majority action is likewise

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[99] *Statement Concerning Treatment of Conscientious Objectors in the Army,* op. cit., pp. 49, 50.

a serious matter, and the statesmanship which would shut its eyes to facts and say that cowardice only is involved is singularly lacking in penetration and in any constructive policy.

The ultimate test of the course of action which the state should adopt will of course be the test of its own self-preservation; but with the limitation, at least in those countries where the political theory obtains that the ultimate end of the state is the highest good of its citizens, both morals and sound policy require that the state should not violate the conscience of the individual. All our history gives confirmation to the view that liberty of conscience has a moral and social value which makes it worthy of preservation at the hands of the state. So deep in its significance and vital, indeed, is it to the integrity of man's moral and spiritual nature that nothing short of the self-preservation of the state should warrant its violation; and it may well be questioned whether the state which preserves its life by a settled policy of violation of the conscience of the individual will not in fact ultimately lose it by the process. Every ethical and practical consideration which should lead the state to endeavor to avoid the violation of the conscience of its citizens should therefore lead a wise and humane government to seek some practical solution of this difficult problem.[100]

Résumé

Regarding America's history of conscientious objection, the import for 1940 of the statement made by Chief Justice Stone is that so advanced a view was held at the end of World War I. His idea that a democracy like the United States may restrain action even though it is sanctioned by belief but should not coerce in opposition to conscience, was drawn from the Nation's past.

The settlement of this country was due in part to its offering a haven for peace-loving men and women. Consequently there have always been citizens opposed to war, resistance and violence. Although a proposed "freedom of conscience" clause was not included in the United States Constitution, a number of the State constitutions which were adopted between the Revolution and the Civil War contained provisions on conscientious objection. In addition, national laws were eventually passed dealing with the subject.

In early Colonial times the problem of the objector was a local one. Its main basis then as later was membership in pacifist churches having extensive backgrounds opposed to armed conflict. In consequence, the Continental Congress strongly resolved that religious beliefs of nonresistant groups should be respected.

During the Civil War both Northerners and Southerners who objected to war found themselves in a dilemma, being also against slavery. Nevertheless the Confederacy as well as the Federal Government gave legal recognition to "members of religious denominations" who were opposed to bearing arms and allowed them to secure substitutes or pay commutation taxes or fees. The North in its 1864

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[100] Harlan F. Stone, "The Conscientious Objector," *Columbia University Quarterly*, vol. 21, October 1919, pp. 253–272.

Enrollment Act even went as far as also providing for noncombatant service within the Army by assignment to work in hospitals and in the care of freedmen. Thus the Civil War ushered in the first national legislation with special provisions for conscientious objectors.

From the Civil War to World War I there was some liberalization of church principles in opposition to resistance measures during a national emergency. In addition, the Selective Service law of 1917 took an entirely new approach. Service became personal, universal and absolute for those liable. Substitutes and commutation fees were not allowed. However, noncombatant service within the Army was provided at the outset for "a member of any well-recognized religious sect" forbidding participation in war and eventually there was a furlough arrangement for civilian duty. Thus the stage was set for the more democratic provisions in the Selective Training and Service Act of 1940 covering both noncombatant service within the armed forces and work of national importance under civilian direction for the registrant conscientiously opposed to war "by reason of religious training and belief."

IV

LEGISLATIVE PROVISIONS ON CONSCIENTIOUS OBJECTION, 1940–47

The prospect of religious freedom in America was one of the reasons for its early and later settlement. This meant the continuous presence of conscientious objectors in the United States and especially in its pacifist churches. The general public and local, State and national governments thus became acquainted with the religious background of conscientious objection and with methods for meeting the problem in times of emergency. In consequence, the Selective Service law of 1940 contained not only the philosophy of service for every liable person but also that of duty which would not violate the consciences of men opposed to war and armed forces.

Conscientious Objection in the Burke-Wadsworth Bill

The Selective Training and Service Act of 1940 was approved and became effective on September 16, 1940. When this legislation was introduced in Congress it was known as the Burke-Wadsworth bill and was titled, "A bill to protect the integrity and institutions of the United States through a system of selective compulsory military training and service." It was presented in the Senate as S. 4164 on June 20, 1940, and the next day in the House of Representatives as H. R. 10132. Section 7 (d) of the original version had to do with the matter of conscientious objection and read as follows:

> (d) Nothing contained in this Act shall be construed to require or compel any person to be subject to training or service in a combatant capacity in the land and naval forces of the United States who is found to be a member of any well-recognized religious sect whose creed or principles forbid its members to participate in war in any form, if the conscientious holding of such belief by such person shall be established under such regulations as the President may prescribe; but no such person shall be relieved from training or service in such capacity as the President may declare to be noncombatant.[1]

Suggested Changes in the C. O. Provisions

As has been seen, such provisions were similar to those covered by the Selective Service law of 1917. In the consideration of the 1940 bill, however, a number of suggestions were made for changes. These may be generalized under four headings: broadening the basis of the conscientious objection or belief, providing for special methods of classifying conscientious objectors, extending the type of service to be required of or permitted by objectors, and providing for civilian rather than military control.

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[1] *Hearings on S. 4164 before the Senate Committee on Military Affairs,* 73d Cong., 3d Sess. (Washington: 1940), p. 3.

These four points, about which there was considerable conflict, will be explained briefly and the issues regarding them set forth, mentioning in detail some of the amendments and testimony offered in connection with section 7 (d). Then the changes actually made by Congress will be traced through the various committee prints of the bill.

Objection a Personal Matter

The first of these issues was whether to cover by the provisions of the Burke-Wadsworth bill conscientious objectors other than those who were members of historic peace churches. Such question came up in considering whether to include members of nonpacifist churches since they ordinarily would hold an individual or a minority viewpoint rather than a group or majority approach within their own organizations. This developed into the issue of whether the matter of conscientious objection should be made one at all of personel religious belief. Eventually the discussion turned to conscientious objectors who had arrived at their conclusions by reason of philosophical, political or economic reasoning. The final decision was to eliminate the church membership requirement entirely, but to qualify the provision by making it apply only to a person "who, by reason of religious training and belief, is conscientiously opposed to participation in war in any form."

Special Consideration on Appeal

The next question was whether to provide in the 1940 law a special classification procedure for the registrant who claimed to be a conscientious objector. It was proposed that all persons making such claims should be listed on a register by their local boards, and then referred to the Department of Justice for inquiry and hearing, after which they would again be considered by their local boards. At this point the usual appeal rights accorded to all registrants would apply and either the registrant or a representative of the local board could appeal the classification given by the Department of Justice. Under the provisions finally adopted, however, classification was first made by the local board, the same as for any other registrant, but conscientious objector cases were to be referred to the Department of Justice for investigation, hearing and recommendation in all instances where an appeal was taken.

Work of National Importance

Regarding the third point, the original Burke-Wadsworth bill provided only that conscientious objectors might be assigned to "training or service in such capacity as the President may declare to be noncombatant." It was pointed out in such connection, however, that during the latter part of World War I certain conscientious objectors had been assigned to civilian work through administrative procedure, and it was suggested, therefore, that provision for assignment to such work be made a part of the new draft law. It was further recommended that such conscientious objectors as thought they could engage in no work under the direction of the government be granted absolute exemption. The first suggestion was accepted by the Congress and incorporated into the Selective Service Act of 1940 as work of national importance. Absolute exemption was not provided for any type of objector, however.

Civilian Direction and Civilian Trial

The final point which became an issue, was on the administrative control of the conscientious objector after he had entered the service of his country. During World War I and under the original provisions of the Burke-Wadsworth bill, conscientious objectors who were inducted for any type of service, like all other draftees, were still under the general control of the armed forces. It will be recalled that men who were assigned to farm work and other industrial tasks during World War I were given their final discharges through the Army. In the 1940 law, however, provisions were finally made that the service required of the conscientious objector who was opposed to any military duty, be under civilian direction. Furthermore it was also provided in section 11 of the act that any person charged with a violation of the Selective Service law be tried in Federal Court instead of under military court martial as was most often the case during World War I.

In such connection, representatives of the Church of the Brethren, the Mennonite Church, and the Society of Friends had prior to the consideration of the 1940 bill presented statements expressing the historic conviction of these groups. The occasions were February 12, 1937 and January 10, 1940. When the representatives of the three pacifist groups visited the President in 1940 a part of the letter which they left with him read as follows:

> As you know, in the last war the United States Government finally authorized such nonmilitary humanitarian service to be substituted for military service, and furloughed conscientious objectors to this relief work or to farm labor. But this arrangement was provided only after months of confusion and distress, and only after repeated conferences between our representatives and officials of the War Department, because of the lack of any previously established policy. Since we understand that plans are now being formulated for mobilization of the Nation's

manpower if war should come, and since the need for dealing with conscientious objectors would again emerge to confront Government agencies, we venture to suggest the advantage of advance discussion of the problem with the appropriate officials. We should much appreciate the opportunity for such discussion and are prepared to make concrete proposals to such officials regarding procedures for handling conscientious objectors and types of service which might be provided. In this connection we also venture to suggest the desirability of again setting up a civilian agency for dealing with this problem. There is a precedent for this in the action of President Wilson in 1918.[2]

Quaker Requests at the Senate Hearings

As the hearings on the Burke-Wadsworth bill progressed during 1940 a number of men testified on conscientious objection before the Senate Military Affairs Committee. These included Mr. Harold Evans representing the Religious Society of Friends; Mr. Paul Comly French of the Friends' General Conference; Dr. Charles S. Longacre representing the Seventh-Day Adventist Church; the Rev. John M. Swomley, Jr., of the National Council of Methodist Youth; and Dr. Howard K. Beale from the American Civil Liberties Union.

During this testimony the representatives of the Society of Friends early indicated the main issues. In his appearance before the Senate Committee on July 10, Mr. Evans made these specific requests:

> Section 7 (d) of the bill, exempting from combatant service members of certain religious sects which hold pacifist beliefs, merely follows the provisions of the selective service law of 1917, which was enacted as an emergency measure, and which in this phase of it did not work out very satisfactorily, I think, either to the Army or to those most concerned. We would respectfully urge that this section of the bill be amended, if the bill is to be passed, so as to follow in general the British National Service Act of 1939. We would specifically ask that it provide:
>
> 1. For handling conscientious objectors at all times by civilian rather than by military authority.
> 2. For placing conscientious objectors on a special register, as they do in England.
> 3. For complete exemption for those found to have sincere convictions against all forms of compulsory service, and for the exemption of others from such service as they cannot conscientiously accept.
>
> And finally, we ask for the same treatment for all conscientious objectors, regardless of membership in any historic peace church, because we feel that this is a matter not of membership in the Society of Friends, of Mennonites or Dunkards, but is a matter of the individual's conscience. As you have heard this afternoon, there are numbers of Catholics and there are numbers of Methodists and others who hold the same view.[3]

The Methodist Position

When the Rev. Swomley, representing the National Council of Methodist Youth, came before the Senate committee next day, he spoke regarding both the restrictions of the original provisions in the bill to members of historic peace churches and the presumed trial of a violator by court martial as in World War I. The following is quoted from his testimony:

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[2] Ibid., pp. 318–19.
[3] Ibid., p. 164.

> The Methodist church does not forbid its members to participate in war, yet by overwhelming conviction its people desire that the rights of conscience of those who are conscientious objectors shall be respected. What does this bill say? It grants such rights of conscience only when a man belongs to "a well-recognized religious sect whose creed or principles forbid its members to participate in war in any form." Not only are Methodists denied this right, they are even to be adjudged criminals liable to both fine and imprisonment and possibly to more serious penalty when their right of trial by jury is supplanted by courts martial.[4]

The Civil Liberties Union Testimony

Also on the same day, July 11, Dr. Beale of the American Civil Liberties Union appeared before the Senate committee. He said in part:

> We believe that not only the consciences of such persons who will do noncombatant military service but also the consciences of those who can conscientiously do only "civil service under civil authority," should be protected and that all conscientious citizens should be given the privilege of serving their country in ways their consciences will permit.[5]

He also went on to state that:

> Most of the religious denominations have made provision for registration of conscientious objectors and have gone on record as determined to stand by the minority members of their faith whose readings of the teachings of Jesus have made them conscientious objectors to war.[6]

Among the denominations which he named as having done the latter were the Northern Baptist Convention, Congregational and Christian Churches, Disciples of Christ, Evangelical Synod of North America, Methodist Church of America, Presbyterian Church in the United States, Protestant Epsicopal Church, Reformed Church in America, American Unitarian Association, and United Lutheran Church in America. All of these were nonpacifist churches. Others listed in the same connection were historic peace churches or groups of churches both pacifist and nonpacifist.

Dr. Beale commented further regarding conscientious objectors as follows:

> Many of these objectors, unable to face the social and moral consequences of standing out, will submit contrary to their consciences. Gentlemen, does anyone think that men fighting in violation of their consciences and in repudiation of their God as they honestly conceived Him and believed in Him will make good soldiers. They will make wretched soldiers. At civilian jobs serving their

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[4] Ibid., pp. 261–2.

[5] Ibid., p. 309.

[6] Ibid., p. 312.

country with the high degree of devotion that the ones I have known among these people have, they are capable of great usefulness to their Nation.[7]

Adventist Views Before the House Committee

The first to testify on the conscientious objection question before the House Military Affairs Committee was Dr. Longacre of the Seventh-day Adventist Church. This was on July 25, whereas he had spoken to the Senate committee on July 10. However, because his testimony was more complete on the latter occasion, it is mentioned here. Regarding the members of his church he said:

> We (the Adventists) are not pacifists nor militarists nor conscientious objectors, but noncombatants.
>
> * * * * *
>
> But as to the noncombatant (the Adventist) he merely believes that he should not take human life. But he is willing to cooperate with his Government in any capacity that he can, without having to violate his conscience in regard to taking a life. We are noncombatants.[8]

He then proposed the following amendment as an addition to section 7 (d) as it appeared in the first version of the Selective Service bill:

> Nothing in this act contained shall be construed to require or compel any person who is drafted and is a member of any religious sect or organization whose creed or principles forbid its members to participate in war in any form or to bear arms in combative service; or any person, though a member of an organization whose creed or principles do not forbid the bearing of arms but who individually has religious scruples against the bearing of arms, to take any other than noncombatant military training courses offered by the Government.[9]

Following this Dr. Longacre went on to testify:

> President Wilson, you remember, was given the authority to define what constituted noncombatant service in the World War, and the definitions he laid down as to noncombatant service and the lines of work he prescribed were in full agreement with our religious convictions on that subject. I do not think anybody could have laid them down any more clearly than he did. Our denomination has appointed a war service council, and in that council we have laid down certain lines of work. They are medical, nursing, cooking, first-aid, dental, embalming, band music, accounting, secretarial, printing, electrical, mechanical, carpentry, surveying, tailoring, shoe repairs, and so forth. * * * but there are many other lines of noncombatant service which we could engage in consistently besides those.[10]

Regarding the special interest of the Seventh-Day Adventist people in medical service work, he further stated:

> We have courses in our colleges teaching these noncombatant courses. We have several colleges and we have four junior colleges in which we give these

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[7] Ibid., p. 310.

[8] *Hearings on H. R. 10132 before the House Committee on Military Affairs,* 73d Cong., 3d Sess. (Washington: 1940), p. 150 (quoted more fully in chapter II of this monograph).

[9] Ibid., p. 152.

[10] Ibid., pp. 153–4.

courses the same as the ROTC, similar to it, but, of course, in noncombatant lines of service. We are training them for the medical service, largely for hospital work. We have over 300 men in training in Takoma Park in the medical cadet corps. They will soon finish their service. In the last World War we got caught unprepared.[11]

The Mennonite Position

When Mr. Amos F. Horst appeared before the House committee in behalf of the Mennonite Church on the same day, July 25, he set forth the position of his church. He used a part of the 1937 general conference statement which has already been quoted in chapter II. Thereafter he proposed, in behalf of the Mennonite Church the following amendment:

> Delete section 7 (d) and substitute the following:
>
> "(d) Nothing contained in this act shall be construed to require any person to be subject to training or service in the land or naval forces of the United States who is conscientiously opposed to participation in war in any form, nor to require any person to be subject to training or service in such forces in any capacity to which he is conscientiously opposed. All persons claiming such conscientious objections shall be listed provisionally at the time of their registration on the register of conscientious objectors. There shall be established in the Department of Justice a bureau of conscientious objectors under the direction of a commissioner, who shall be a civilian and shall be directly responsible to the Attorney General and who shall administer this subsection 7 (d) of the act under such regulations as the President may prescribe."
>
> Respectfully submitted for consideration and adoption by the peace problems committee of the Mennonite Churches of the United States.
>
> ORIE MILLER, *Secretary.*[12]

A Proposal by The Civil Liberties Union

Just prior to the testimony of Mr. Horst, Dr. Beale of the American Civil Liberties Union, from whose Senate committee appearance a quotation has already been made, likewise testified before the House committee. He proposed this comprehensive amendment to the Burke-Wadsworth bill:

> Delete section 7 (d) and substitute the following:
>
> "(d) Nothing contained in this act shall be construed to require any person to be subject to training or service in the land or naval forces of the United States who is conscientiously opposed to participation in war in any form, nor to require any person to be subject to training or service in such forces in any capacity to which he is conscientiously opposed. All persons claiming such conscientious objections shall be listed provisionally at the time of their registration on the register of conscientious objectors. There shall be established in the Department of Justice a bureau of conscientious objectors under the direction of a commissioner, who shall be a civilian and shall be directly responsible to the Attorney General.
>
> "(e) The bureau of conscientious objectors shall name one or more civilian boards of inquiry in each State or Territory, consisting of not less than three persons and not more than five persons, who shall be civilians and who shall

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[11] Ibid., p. 156.

[12] Ibid., p. 192.

examine all persons listed on the register of conscientious objectors as to the conscientious holding of convictions against participation in war. Membership in a religious organization whose creed or principles are opposed to participation in war in any form shall be deemed prima facie evidence that the member is a bona fide conscientious objector to participation in war in any form, if accompanied by an oath of affirmation that he is in agreement with such creed or principles.

"(f) Board of inquiry (1) shall offer each person found to be conscientiously opposed to participation in war in a combatant capacity an opportunity to serve in units of the land and naval forces of the United States in such capacities as the President of the United States may designate as noncombatant, (2) shall offer each person found to be conscientiously opposed to participation in war in any form an opportunity to engage in work of national importance under civil direction, and (3) may grant complete exemption to each person conscientiously unable to accept combatant or noncombatant military service or work of national importance under civilian direction.

"(g) The bureau of conscientious objectors shall establish a National Civilian Board of Appeal, consisting of not less than three and not more than five persons, which Board shall have the power to review, either at the request of persons dissatisfied with the ruling of a board of inquiry, or on its own motion, ruling and decisions of each board of inquiry." [13]

Thus was suggested the term "work of national importance" as a part of the 1940 law.

Differences in Individual Conscience

Shortly after he had presented the suggested amendment to the committee, Dr. Beale pointed out some differences of individual conscience:

> There are degrees of conscientious objectors. There are the absolute objectors, and they would say that they could not take up arms against anybody; and there are others, there are people who would say that they can defend their own shores and nothing else; and the people I am talking about, I believe, in general, believe in nonviolence to the extent that they could not take up arms against anyone, but they certainly do not approve of that sort of people and would use great moral force. And I still believe that has validity in the world against people who are unpatriotic and un-American.[14]

Dr. Beale also said:

> Some of these objectors, whether nonreligious or religious, can do noncombative service. Some feel that they cannot do even that, and this is a matter of personal conscience, not a matter that you can reason on; and some feel that they can do noncombative military service; some feel that they can do civil service under civil control, not service in the Army. And this very small group of them feel that they cannot do anything.[15]

A Protest From Students

In addition, the statement of one group of theological students at Union Theological Seminary was presented and made a part of the record by Dr. Beale. It read as follows:

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[13] Ibid., p. 191.

[14] Ibid., p. 192.

[15] Ibid., p. 189.

> We, the undersigned students of Union Theological Seminary, wishing to register our protest against the use of the method of war to settle international disputes because we believe it inconsistent with Jesus' teaching of love for friend and enemy, which he himself practiced and enjoined his followers to do likewise, do petition the Congress of the United States to include in the Burke-Wadsworth bill, now being drawn up, provisions for the registration of conscientious objectors to war similar to those in the British draft act.
>
> (1) That those who have conscientious objection to fighting on religious grounds be registered separately from the rest of the citizenry.
>
> (2) That local civil boards be established to test the validity of the individuals' objections and classify them according to their convictions in one of the following groups:
>
> (a) Unconditionally on the register of conscientious objectors and exempt from all kinds of service.
>
> (b) Conditionally on the register of conscientious objectors with the understanding that they will do civil service under civil control.
>
> (c) Conditionally on the register of conscientious objectors with the understanding that they will do noncombative work in the Army, but no actual fighting.
>
> (d) Drafted into the Army, if their objections be judged insincere.
>
> We believe that the right of religious freedom guaranteed in the Constitution of the United States requires the inclusion of these or similar provisions in any conscription bill.[16]

Testimony of Mr. Paul Comly French

Mr. French of the Friend's General Conference also appeared before the House committee on July 25. His testimony is most significant in the light of future developments. Taken at its face value, and considered with Committee Prints Nos. 3 and 4 of the Senate, it indicates at the same time the turning point in the hearings and for most practical purposes the final shaping up of the Burke-Wadsworth provisions regarding conscientious objectors. At this time he said:

> During the past week we have talked with members of the Senate Military Affairs Committee and with members of the War Department who are testifying before your committee and before the Senate committee in the hope that we might jointly work out some common ground for the treatment of conscientious objectors that would protect their viewpoint and protect the position of the Government.
>
> Yesterday, at the War College, we worked out a proposal, a proposed substitute for 7 (d), with Colonel O'Kelliher, of the Army (the Joint Army-Navy Committee on Selective Service), which was presented to the Senate committee today, which in the main, I think, covers the position and would protect the Army and protect the conscientious objector .
>
> During the last war, or after the war, Major Clegg (Kellogg) of the Adjutant General's Department, who served on the board of inquiry for the conscientious objector, wrote a book and said he found from the War Department experience that the act at that time was not completely satisfactory in its operation, either to the Army or to the conscientious objector. It was a problem that the Army had to face and that he felt that after the war was over it would be wise if someone gave the matter some thought, that before another emergency arose some definite plan could be prepared.

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[16] Ibid., pp. 191–2 (signatures omitted).

> We have agreed with him and have prepared this outline, or rather, the War Department has, after we have discussed it with them and tried to reach a common ground. It provides, in general, for a registry of persons who claim conscientious objection to war at the time they are registered under the draft on a provisional register. The Senate committee bill, I understand this morning, has been reported out, I am not sure yet.
>
> It provides that the Department of Justice would see the record of every person who registered as a conscientious objector and would then hold a hearing and inquiry and then report their findings back to the local draft board, whether the person was a conscientious objector and should justly be treated as such. It would provide for two forms, or three forms, under this proposal, one that the man was conceded to be a conscientious objector to war as a result of hearing and inquiry, and was willing to perform noncombatant service in the Army, he would be so assigned.
>
> If he felt conscientiously unwilling to perform noncombative service, the wording was that he might then be assigned to service of national importance under civilian control; and the third provision in this draft was that if they found his objections were not deep conscientious convictions, then his name would be removed from the provisional register of conscientious objectors, and he would be assigned to military service.
>
> We would like to see another provision in it which the War Department did not agree to. We would like to see complete exemption for a very small group of absolutists who conscientiously feel unable to perform any service in the war. In the World War this amounted, in the entire draft, to 509 men. But they are persons of deep convictions; they feel that they cannot do anything which contributes in any way to the Military Establishment.
>
> You may not agree with them entirely, but they are deeply convinced that their position is completely right, and in keeping with their religious faith.[17]

Court Martial Opposition

Mr. Raymond Wilson of the Society of Friends likewise testified and among other things explained to the House committee the Friends' objection to possible military supervision of conscientious objectors:

> We feel that the administration of this ought to be in the hands of the Department of Justice or some civilian agency, so that the procedure is a civilian one, instead of court martial.[18]

Mr. Arthur J. Edwards, representing the Council for Social Action of Congregational and Christian Churches, also spoke to the House committee on the same subject. He said that the specific amendment to the proposed Selective Service enactment which he had in mind and which he did present had already been incorporated in Senate Committee Print No. 4. However, he went on to make the point, later incorporated into the law, that violators of the act should be prosecuted under civil law rather than under court martial, as was true in connection with the draft legislation of 1917.

Mr. Edwards again appeared on July 30. Referring to Senate Committee Print No. 4, which had been printed July 27, he said:

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[17] Ibid., pp. 201–2.

[18] Ibid., p. 209.

> I have studied that very carefully, and I think it complies exactly as to meaning with the amendment which we petition for.
>
> In drawing my petition I tried to follow the wording of the original bill and substitute a minimum number of words.
>
> The Senate bill has the merit now of carrying out the skeleton of the provision for conscientious objectors, and also providing the muscle and detail of the procedure by which it is to be taken care of. That procedure places it in the hands of the Department of Justice.[19]

The following is likewise from his testimony:

> It is my personal opinion the civil part of the Government, the civil government of the country, should determine from the military arm how many men are requested, and then the civil part of the Government should take the responsibility for making the selection of those men, and should only send to the military arm those who are really acceptable as soldiers with no reservations when they come to take the oath. And that the civil arm, if it finds any of these men are seeking exemption in violation of the terms of the law, then the civil arm should assess the penalty. At that point I will terminate the representative portion of my testimony, because the Council for Social Action is a representative board or council of the Congregational and Christian denominations, which was to act on its own authority. It is to investigate areas of strain and of the life of its people and of the country, to educate its people, and if they intercede in specific situations. This is one of the situations in which it intercedes.[20]

Included in the appendix of the House committee report was a statement written under date of July 31, 1940, by Rufus W. Weaver, executive director of the National Conference on Religious Liberty, and made for that organization's emergency committee in behalf of religious liberty. The following is quoted from this statement:

> We call special attention to this second paragraph dealing with conscientious objectors and express the hope that civil tribunals for conscientious objectors may be set up in the bill which you recommend.[21]

The question of trial before civil tribunal rather than before military court martial was again urged by another statement written the same day by Mr. Weaver. In this capacity, however, he was acting as chairman to the executive committee of the general committee on Army and Navy chaplains representing the Northern and Southern Baptist Convention. He said in part:

> In the present emergency, the Protestant bodies of this country having made no definite declaration as to their attitude toward conscription, it is the judgment of our committee that the adoption of the amendment granting to conscientious objectors the right of trial before a civil tribunal would lessen greatly the criticism of this proposed measure. The vast majority of the religious membership of our churches, appreciating the seriousness of this existing emergency, feel that the determination of policy and plans must be left in the hands of the Congress and that whatever is done will receive their support in a way becoming patriotic Christians.[22]

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[19] Ibid., p. 363.
[20] Ibid., p. 364.
[21] Ibid., p. 603.
[22] Ibid., p. 604.

Civil Control of Objectors

This specific problem was later taken care of by the following provisions in the penalty section of the Selective Training and Service Act as adopted:

> No person shall be tried by any military or naval court martial in any case arising under this act unless such person has been actually inducted for the training and service prescribed under this act, or unless he is subject to trial under court martial under laws in force prior to the enactment of this act.[23]

The circumstances under which the idea of civilian trial was placed in the Burke-Wadsworth bill may be clarified by the following proceedings on the floor of the Senate, August 26:

> Mr. BONE. Mr. President, I send to the desk an amendment to section 9 of the bill and ask that it be stated.
>
> The PRESIDING OFFICER. The amendment offered by the Senator from Washington will be stated.
>
> THE LEGISLATIVE CLERK. In the committee amendment, on page 26, line 24, after the word "ordered", it is proposed to strike out "military and naval courts martial concurrent jurisdiction of offenses arising out of such failure," and insert:
>
> "Shall be tried exclusively in the district courts of the United States having jurisdiction thereof and this class of cases shall not be tried by the military and naval courts martial unless such person has been actually inducted for the training and service prescribed herein or unless he is subject to trial by court martial under laws in force prior to the enactment of this act. Cases brought under this provision shall be given preference for trial by the respective district courts."
>
> Mr. BONE. Mr. President, this amendment is in language very similar, if not word for word, the language that was employed in the Selective Service Act of 1917, as I recall it. If Senators will look at the bottom of page 26 of the pending bill they will find that if a young man is ordered to report for duty under instructions to report and does not do so he will then be tried by a military or naval court martial. My amendment would substitute the United States district court as the body to try such a young man instead of a naval or military court martial. In that respect it follows the old Selective Service Act of the World War, and I am advised by the chairman of the Military Affairs Committee (Mr. SHEPPARD) that it follows also a provision in the act affecting the National Guard.
>
> I think it is a wholesome amendment. Certainly those who opposed the bill ought to find in it something to interest them and make them feel that it lessens the harshness and asperities of this bill, if they feel it is full of them. To those who favor the bill, there ought not to be objection to something so humane as this.
>
> Personally, I do not believe that if a young man, either through inadvertence or misunderstanding of the law or for any other reason, fails to answer, he should be tried by a military court martial. There is something harsh in the implications of that sort of thing. The amendment provides that he shall be tried in the courts of the land which we have set up for that purpose.
>
> The Senator from Texas advises me that he has no objection to the amendment; that it follows the orthodox pattern of previous enactments; and I hope it will be adopted.

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[23] *Public Law No. 783,* 76th Cong., 3d Sess. (Washington: 1940), section 11.

Mr. Sheppard. Mr. President, the Senator from Washington is correct in his statement.

The Presiding Officer. Without objection, the amendment offered by the Senator from Washington (MR. BONE) to the committee amendment is agreed to." [24]

The Proposed Quaker Amendment

Returning to the conscientious objector provisions, a substitution for section 7 (d) of the Burke-Wadsworth bill which was left with the House committee by Mr. Wilson and Mr. French of the Friends' organizations during their appearance last referred to above, read as follows:

> Nothing contained in this act shall be construed to require any person to be subject to combat training or service in the land or naval forces of the United States who, by reason of religious training and belief, is conscientiously opposed to participation in war in any form, and is so found to be a bona fide objector as hereinafter provided. All persons claiming such conscientious objections shall be listed on a register of conscientious objectors at the time of their classification by a local board, and persons so regstered shall be at once referred to the Department of Justice for inquiry and hearing. After appropriate inquiry by the proper agency of the Department of Justice, a hearing shall be held by the Department of Justice regarding the character and good faith of the objection. The Department shall, after hearing, if the objection be sustained, recommend that the objector shall (1) be assigned to noncombatant service in such capacity as the President may designate as noncombatant, or (2) if found to be a conscientious objector opposed to participation in war in any form, that he shall be assigned to work of national importance under civilian direction, or (3) if said objection is not sustained, the local board shall be immediately notified thereof, and the name of such objector shall then be removed from the register of conscientious objectors, and such objector thereafter be subject to classification.
>
> Should such conscientious objector of the local board disagree with the findings of the Department of Justice, said local board shall immediately refer said case to the appeal board having jurisdiction for final determination.[25]

Religious Training and/or Belief

The effect of the Quaker substitution was a direct one in that it was inserted as a replacement in both the Senate and House versions of the proposed Selective Service law. Section 7 (d) in the original Burke-Wadsworth bill of June 20, 1940, was patterned very closely after the conscription act of World War I (May 18, 1917) as indicated early in this chapter. The language of the first version of section 7 (d) was continued verbatim in section 6 (d) of the Senate Prints No. 1, July 23, 1940, and No. 2, July 25, 1940, but after Mr. French and Mr. Wilson had presented their suggestion, it was substituted and the bill included this entirely new statement:

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[24] *Congressional Record, Proceedings and Debates of the 76th Cong., 3d Sess.,* vol. 86, pt. 10 (Washington: 1940), p. 10895.

[25] *Hearings on H. R. 10132,* op. cit., p. 211.

> Nothing contained in this act shall be construed to require any person to be subject to combat training or service in the land or naval forces of the United States who by reason of religious training and belief is conscientiously opposed to participation in war in any form,"

At the instigation of Senator Guffey of Pennsylvania the word "or" replaced the word "and" in section 6 (d) of Senate Print No. 3 making the phrase in question read: "by reason of religious training or belief."[26] Finally, on the representations of Col. Victor J. O'Kelliher of the Joint Army-Navy Selective Service Committee, however, the word "and" was restored in section 6 (d) of Senate Print No. 4, and the phrase so remained thereafter.[27]

There was considerable difference in the "both" idea conveyed by the "and" and the "either" concept which arose from the use of the disjunctive "or". The former tended to eliminate conscientious objectors who developed their beliefs in the absence of definite religious training, as well as those who were trained in religious groups but had no personal convictions opposed to military service. Settling upon the word "and" militated against those who had attained a religious belief against participation in war without affiliation with or indoctrination by a formal training establishment of a religous nature. The Selective Service System having the above information on a possible more liberal intent of Congress, however, did not apply too strict an interpretation in this regard during its 6½ years of operation.

Appearance of the Phrase "Work of National Importance"

The term "work of national importance under civilian direction" appeared for the first time as has been noted in the amendment proposed to the House committee by Dr. Beale of the American Civil Liberties Union. However, this identical wording was also used in an amendment suggested by the Friends during the same committee session on the Burke-Wadsworth bill. Subsequent developments indicate that it likewise came up the previous day when changes in the conscientious objector provisions were discussed by Mr. French of the Friends organization and a representative of the Joint Army and Navy Selective Service Committee at the War College.

The Rev. Harry Emerson Fosdick, minister of the Riverside Church, New York City, in his conscientious objector testimony before the House committee, indorsed the amendment to the bill which had been offered by the American Friends Service Committee:

> That amendment which is already in your hands would establish local civilian boards of inquiry under the Department of Justice whose duty it would be to

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[26] *O'Kelliher Papers: Selective Service Legislation.* Plans, Preliminary Drafts and Changes in S. 4164 (H. R. 10132) Prior to the Enactment of the Selective Training and Service Act of 1940. Unpublished compilation of 1948 on file at National Headquarters, Selective Service, Washington. 2 vols., looseleaf, V. 1, Tab: "S. 4164, Com. Print 3."

[27] Ibid., Tab: S. 4164, Com. Print 4.

> examine all drafted persons claiming to be conscientious objectors to pass on their bona fide genuineness to grant to sincere conscientious objectors on religious grounds either the right to noncombatant service, or to civilian service, or if the case seems to justify it to complete exemption. The amendment also provides for the review of contested or dubious decisions by a national civilian board of appeal. Some of the major principles of this proposed amendment have already been incorporated into the compulsory training bill as amended by the Senate Military Affairs Committee.[28]

This appearance of Dr. Fosdick was on July 30, and his reference to the incorporation of some of the principles of the proposed amendment by the Senate committee evidently refers to the changes from the original bill as shown by Committee Print No. 4 of July 27. It is apparent that the part of the Friends' recommendation not incorporated was the one dealing with the complete exemption of absolutists.

Senate Changes in the Wording of the Section

While the House committee hearings on the Burke-Wadsworth bill were still in progress, the Senate committee continued its executive session deliberations. On July 31, it released Committee Print No. 5. Section 6 (d) was considerably revised from the previous wording, but without much change in the fundamental provisions. This section then read as follows:

> (d) Nothing contained in this Act shall be construed to require any person to be subject to ~~combat~~ *combatant* training or service in the land or naval forces of the United States who, by reason of religious training and belief, is conscientiously opposed to participation in war in any form~~, and is so found to be a bona fide objector as hereinafter provided.~~ All persons claiming such ~~conscientious objections~~ *exemption from combatant training and service because of such conscientious objections* shall be listed on a Register of Conscientious Objectors at the time of their classification by a local board, and *the names of the* persons so registered shall be at once referred *by such local board* to the Department of Justice for inquiry and hearing. After appropriate inquiry by the proper agency of the Department of Justice, a hearing shall be held by the Department of Justice ~~regarding~~ *in the case of each such person with respect to* the character and good faith of ~~the objection.~~ *his objections, and such person shall be notified of the time and place of such hearing.* The Department shall, after *such* hearing, if the ~~objection be~~ *objections are found to be* sustained, recommend (*1*) that the objector shall ~~(1)~~ be assigned ~~to noncombatant service in such capacity as the President may designate as noncombatant,~~ *noncombatant service as defined by the President*, or (2) if *the objector is* found to be ~~a conscientious-objector~~ *conscientiously* opposed to participation ~~in war in any form,~~ *in such noncombatant service*, that he shall be assigned to work of national importance under civilian direction~~; or (3) if~~ *If, after such hearing,* ~~said objection is not~~ *the objections of any such person are found not to be* sustained, *the objector and* the local board shall be immediately notified thereof~~.~~, ~~The~~ *the* name of ~~such~~ *the* objector shall then be removed from the Register of Conscientious Objectors~~;~~ and such objector shall thereafter be ~~subject~~ *liable* to ~~classification.~~ *training and service as provided by this Act.* ~~Should such con-~~

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[28] *Hearings on H. R. 10132*, op. cit., p. 323.

~~scientious objector or the local board disagree with the findings of the Department of Justice, said local board shall immediately refer said case to the appeal board having jurisdiction for final determination.~~ *If, within five days after the date of such finding by the Department of Justice, the objector or the local board gives notice to the other of disagreement with such findings, the local board shall immediately refer the matter for final determination to an appropriate appeal board established pursuant to section 11 (a) (2).*

Senate Committee Print No. 6 was issued August 1. In this the conscientious objection provision was renumbered as section 5 (d). The only revision in the language was that the reference in the last line was changed to "section 10 (a) (2)" rather than to "section 11 (a) (2)." The next printing was on August 3, Committee Print No. 7. It contained no changes in the section relating to conscientious objectors.

The Bill as Reported to and Passed by the Senate

The Burke-Wadsworth bill was reported out of the Senate Military Affairs Committee on August 5 and reprinted as reported. There were no changes in the conscientious objection provision from Print No. 7. At this time the majority report included this statement regarding the conscientious objector question:

> The measure is fair both to a person holding conscientious scruples against war and to the Nation of which he is a part. It provides for inquiry and hearing by the Department of Justice to make recommendations as to whether a person claiming deferment because of conscientious objection to war is or is not a bona fide conscientious objector. If his contention is made in good faith he may not be selected for combat service, but may be selected either for noncombatant service, or for national work under civilian direction. The rights of the conscientious objector and of the Government are fully protected against possible local prejudice, influence, or passion, by provision for appeal to a board of appeal.[29]

The only statement in the minority report related to this question was the brief statement that: "This minority does approve the provisions for registration and its exemptions."[30]

The conscientious objector provisions remained unchanged as to wording when the bill was eventually passed by the Senate on August 30. At that time, however, the section was numbered "5 (e)."

Additional House Hearings and Comments

Hearings continued in the committee of the House after the Senate committee had finished its report. The Rev. James A. Crain appeared before the House committee on August 12 representing the Disciples of Christ denomination. In connection with his appearance he suggested the following amendment to section 7 (d) of the proposed law:

> As a free and democratic fellowship, the Disciples of Christ recognize the right of individuals to follow their own consciences in matters of practical conduct.

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[29] *Senate Report No. 2002*, 76th Cong., 3d Sess. (Washington: 1940), p. 9.
[30] Ibid., p. 11.

> Inasmuch as convinced Christian pacifists constitute an unpopular and misunderstood minority, we reaffirm at this time our respect for them and their position, and pledge our assistance to any who may face persecution or privation because of their pacifist convictions.
>
> In order that Christian pacifists among us may have an opportunity to record their convictions as to participation in war, we urge that provision be made for an early enrollment of all conscientious objectors within our fellowship.[31]

In the appendix of the House hearings there was a copy of a letter addressed to the Chairman of the House Military Affairs Committee under date of June 30, 1940, by Tracy D. Mygatt, Acting Secretary for the Women's Peace Union. One paragraph of the letter read as follows:

> We oppose conscription in toto, but at the very least would implore you to do your utmost to safeguard conscientious objectors, whether religious, political, or humanitarian.[32]

The House Committee Report on the Bill

The Burke-Wadsworth bill was reported out of the House Military Affairs Committee under date of August 29, but was not discussed on the floor of the House until September 3. The committee report explained the conscientious objector section [33] which was identical with that previously adopted by the Senate, but it made no significant additional comment on the provisions. However, in explaining the bill, Mr. May, chairman of the committee, made this statement:

> We heard the conscientious objectors, and all of their representatives that we could possibly hear, and, summing it all up, their whole objection to the bill, aside from their objection to compulsory military training, was based upon the right of conscientious objection and in most instances to the right of ministerial students to continue in their studies, and we have provided ample protection for those classes and those groups. So that the ministerial group of people have been satisfied with the provisions of the proposed law, so far as I know. I have heard no complaint since the bill was agreed upon and reported out." [34]

House Debate on the C. O. Provisions

During the House debate on the bill, September 4, Mr. Faddis of Pennsylvania made the following statement:

> We have made provision to take care of conscientious objectors. I am sure the committee has had all the sympathy in the world with those who appeared claiming to have religious scruples against rendering military service in its various degrees. Some appeared who had conscientious scruples against handling lethal weapons, but who had no scruples against performing other duties which did not actually bring them into combat. Others appeared who claimed to have conscientious scruples against participating in any of the activities that would go along with the Army. The committee took all of these into considera-

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[31] *Hearings on H. R. 10132,* op. cit., p. 471.

[32] Ibid., p. 634.

[33] *House Report No. 2903,* 76th Cong., 3d Sess. (Washington: 1940), p. 5.

[34] *Congressional Record,* op. cit., p. 11368.

tion and has written a bill which, I believe, will take care of all the reasonable objections of this class of people.[35]

An Amendment in the House

On September 6, Mr. Walter of Pennsylvania introduced an amendment to eliminate the investigation and hearing by the Department of Justice and to place the responsibility in the local boards. The chairman of the House Military Affairs Committee stated that the committee had no objection to the amendment and he urged its adoption. Over the objection of Mr. Voorhis of California such action was taken. The pertinent part of the record in this regard is as follows:

> Mr. WALTER. Mr. Chairman, I offer an amendment.
>
> The Clerk read as follows:
>
> "Amendment offered by Mr. Walter: On page 24, strike out all of line 18 after the comma and lines 19 and 20 down to the period. Strike out the words 'proper agency of the Department of Justice' in lines 21 and 22 and insert in lieu thereof 'local board.' Strike out 'Department of Justice' in lines 22 and 23 and insert 'local board.' On page 25, line 1, strike out 'Department' and insert 'local board.' Line 9, strike out 'and the local board.' Line 14, strike out 'Department of Justice' and insert 'local board.' Lines 14 and 15, strike out 'or the local board' and 'other', and in line 15 insert 'local board.'
>
> Mr. MAY. Mr. Chairman, the committee has no objection to this amendment. I believe it should be adopted.
>
> Mr. VOORHIS of California. I object, Mr. Chairman.
>
> The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.
>
> The amendment was agreed to.[36]

This amendment in the House apparently arose from a feeling that referring the conscientious objector case to the Department of Justice made for an involved and unnecessary procedure. As amended, and passed by the House on September 7, the conscientious objection section read as follows:

> (e) Nothing contained in this act shall be construed to require any person to be subject to combatant training or service in the land or naval forces of the United States who, by reason of religious training and belief, is conscientiously opposed to participation in war in any form. All persons claiming such exemption from combatant training and service because of such conscientious objections shall be listed on a register of conscientious objectors at the time of their classification by a local board. After appropriate inquiry by the local board, a hearing shall be held by the local board in the case of each such person with respect to the character and good faith of his objections and such person shall be notified of the time and place of such hearing. The local board shall, after such hearing, if the objections are found to be sustained, recommend (1) that the objector shall be assigned to noncombatant service as defined by the President, or (2) if the objector is found to be conscientiously opposed to participation in such noncombatant service, that he shall be assigned to work of national

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[35] Ibid., p. 11418.
[36] Ibid., p. 11689.

importance under civilian direction. If, after such hearing, the objections of any such person are found not to be sustained, the objector shall be immediately notified thereof, the name of the objector shall then be removed from the Register of Conscientious Objectors, and such objector shall thereafter be liable to training and service as provided by this act. If, within 5 days after the date of such findings by the local board, the objector gives notice to the local board of disagreement with such findings, the local board shall immediately refer the matter for final determination to an appropriate appeal board established pursuant to section 11 (a) (2).[37]

Conference Reports on the Bill

The Burke-Wadsworth bill as passed by Congress then went to conference to harmonize the differences between the Senate and the House. The following is taken from the "Statement of the managers on the part of the House" in making their conference report of September 12, 1940 on the Selective Training and Service Act of 1940.

The Senate bill provided that nothing therein contained was to be construed as requiring any person to be subject to combatant training or service who by reason of religious training or belief is conscientiously opposed to participation in war in any form. All persons claiming such exemption because of such conscientious objections were to be listed on a register of conscientious objectors at the time of their classification by a local board, and their names at once referred by the local board to the Department of Justice for inquiry and hearing. After appropriate inquiry by the appropriate agency of the Department of Justice, a hearing was to be held by the Department of Justice in the case of each such person with respect to the character and good faith of his objections. If the objections were found by the department to be sustained, it was to recommend that (1) the objector be assigned to noncombatant service as defined by the President, or (2) if the objector was found to be conscientiously opposed to participation in such noncombatant service that he be assigned to work of national importance under civilian direction. If after the hearing the objections were found not to be sustained, the objector and the local board were to be immediately notified, the name of the objector was then to be removed from the register of conscientious objectors, and the objector was thereafter to be liable for the training and service provided for in the bill. If within five days after the date of the findings by the Department of Justice, the objector or the local board gave notice to the other of disagreement with the findings, the local board was to refer the matter for final determination to an appropriate appeal board.

Under the House amendment the character and good faith of the objection of a conscientious objector were to be determined by the local board, subject to the right of appeal by the objector to an appropriate appeal board.

Under the conference agreement, if the objections are not sustained by the local board in the first instance, the objector is given the right to appeal to the appropriate appeal board. Upon the filing of such appeal, the appeal board is directed forthwith to refer the matter to the Department of Justice for an inquiry and hearing. After appropriate inquiry by the proper agency of the Department of Justice, a hearing is to be held by the department with respect to the character and good faith of the objections. If the Department finds the objections to be sustained it is to recommend to the appeal board (1) that the objector, if he is inducted under the act, be assigned to noncombatant service

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[37] Ibid., p. 11753–54.

> as defined by the President, or (2) if it is found that he is conscientiously opposed to participation in such noncombatant service, in lieu of such induction that he be assigned to work of national importance under civilian direction. In making its decision, the appeal board is to consider the record on appeal from the local board, together with the recommendations, which it is not bound to follow, by the Department of Justice. All persons whose claims for exemption under this provision because of conscientious objection are sustained are to be listed by the local board on a register of conscientious objectors.[38]

The conference report presented in the Senate on the following day was in almost the same words.[39] Thus the Department of Justice again assumed a role in the processing of conscientious objectors but its work came into application following that of the Selective Service local board and did not relate to any but objector cases which came up for appeal consideration. Such procedure was simple and did not involve much duplication of effort.

The C. O. Provisions Finally Adopted

There seem to have been no objections in either the Senate or the House to the conference report and the wording thus agreed upon in conference became section 5 (g) of the Selective Training and Service Act of 1940:

> Nothing contained in this act shall be construed to require any person to be subject to combatant training and service in the land or naval forces of the United States who, by reason of religious training and belief, is conscientiously opposed to participation in war in any form. Any such person claiming such exemption from combatant training and service because of such conscientious objections whose claim is sustained by the local board shall, if he is inducted into the land or naval forces under this act, be assigned to noncombatant service as defined by the President, or shall, if he is found to be conscientiously opposed to participation in such noncombatant service, in lieu of such induction, be assigned to work of national importance under civilian direction. Any such person claiming such exemption from combatant training and service because of such conscientious objections shall, if such claim is not sustained by the local board, be entitled to an appeal to the appropriate appeal board provided for in section 10 (a) (2). Upon the filing of such appeal with the appeal board, the appeal board shall forthwith refer the matter to the Department of Justice for inquiry and hearing by the Department or the proper agency thereof. After appropriate inquiry by such agency, a hearing shall be held by the Department of Justice with respect to the character and good faith of the objections of the person concerned, and such person shall be notified of the time and place of such hearing. The Department shall, after such hearing, if the objections are found to be sustained, recommend to the appeal board (1) that if the objector is inducted into the land or naval forces under this act, he shall be assigned to noncombatant service as defined by the President, or (2) that if the objector is found to be conscientiously opposed to participation in such noncombatant service, he shall in lieu of such induction be assigned to work of national importance under civilian direction. If after such hearing the Department finds that his objections are not sustained, it shall recommend to the

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[38] Ibid., p. 12038.

[39] *Hearings on S. 4164*, op. cit., p. 12082.

appeal board that such objections be not sustained. The appeal board shall give consideration to but shall not be bound to follow the recommendation of the Department of Justice together with the record of appeal from the local board in making its decision. Each person whose claim for exemption from combatant training and service because of conscientious objections is sustained shall be listed by the local board on a register of conscientious objectors.[40]

Later Legislative Proposals

During the 6½-year life of the Selective Training and Service Act of 1940, as amended, several attempts were made to change the conscientious objection provisions. Mr. Thorkelson, of Montana, introduced a bill in the House of Representatives (H. R. 10545) on September 23, 1940, which was entitled, "A bill to define the status of conscientious objectors under the Selective Training and Service Act of 1940." Only section 3 of this bill affected the Selective Service law. It read:

> SEC. 3. All registers of conscientious objectors required to be kept under the Selective Training and Service Act of 1940 shall be open to public inspection in the offices of the respective local boards on Monday of each week between the hours of 9 o'clock antemeridian and 4 o'clock postmeridian during the operation of said act. On the first day of each month, it shall be the duty of the respective local boards to deliver to the Government Printing Office, by registered mail, a complete list of the conscientious objectors appearing upon their respective registers up to that time; and on or before the first day of the succeeding month it shall be the duty of the Government Printing Office to publish for free distribution, as a public document, the names (alphabetically arranged) and addresses of all conscientious objectors appearing upon the lists furnished by such local boards. Failure to perform any of these duties shall subject the guilty person or persons to the penalties prescribed in section 11 of said Selective Training and Service Act of 1940.

This bill was referred to the Committee on Military Affairs but no report was ever made regarding it.

A Bill Designed to Eliminate Section 5 (g)

Mr. Thomas of Oklahoma introduced the following bill (S. 315) in the Senate on January 11, 1943:

> To amend section 5 of the Selective Training and Service Act of 1940, as amended, by striking out subsection (g) thereof relating to exemption from combatant service of conscientious objectors.
>
> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 5 of the Selective Training and Service Act of 1940, as amended, is amended by striking out subsection (g) thereof.

A hearing was held on this and another bill, not concerned with conscientious objection, on February 17, 1943. At this time a representative from the National Headquarters of Selective Service pointed out that the bill was presented as a result of a resolution of the

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[40] *Public Law No. 783,* op. cit., section 5 (g).

American Legion in Oklahoma, but that it did not have the endorsement of the National Department. He then read the following paragraph of a communication from Mr. Bruce Stubblefield, Executive Secretary of the National Legion, which indicated opposition from that level:

> At the time of our national convention in Kansas City, there were some resolutions presented with reference to conscientious objectors, but the resolutions were rejected by the committee that considered them, feeling that the Army was handling the proposition satisfactorily under the circumstances, and also feeling that it would not be proper to take these men into the Army because of their attitude and the further fact that no commanding officer would want to go into battle with a conscientious objector.[41]

Speaking for the War Department, a representative stated:

> We are opposed to the repeal of section 5 (g) of the act, mainly because of the fact that the type of people who are conscientious objectors would cause a lot of trouble in the Army.
>
> * * * * * * *
>
> While the War Department does not endorse the conscientious objector's view regarding his obligation to his country, we believe that the present solution is proving satisfactory as to the disposition of these people, and the ones we have that are willing to perform noncombatant service, as a group, are performing satisfactorily, and for those reasons we are opposed to the bill S. 315.[42]

The Director of Selective Service, Major General Lewis B. Hershey, also testified against the bill, part of which testimony was as follows:

> There has not been a report made by the Selective Service System on S. 315, and therefore my testimony on that must be considered with the limitation that I do not presume to represent the Presidential program viewpoint, or the viewpoint of the Chairman of the Manpower Commission.
>
> The Selective Service System believes that the Selective Training and Service Act of 1940, as amended, has, as a practical matter, reasonably solved a rather distressing situation, as in all wars, that of what to do with those whose conscience prevents them from participating in full measure in the Army.
>
> S. 315 provides not only for the elimination of all such civil work, in lieu of service in the Army, but also noncombatant service in the Army, itself, and while I do not presume to testify from the Army's viewpoint but from sources within the Army, I would like to say that I am opposed to S. 315.[43]

This so-called Thomas amendment was eventually tabled by the Senate Military Affairs Committee.

Other Legislative Proposals on Conscientious Objection

Other proposed legislation, most of which was never passed by the Congress, will be discussed in the main as this monograph progresses. These include proposals relating to disability and death benefits,

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[41] *Hearings on S. 315 (Conscientious Objector Benefits) before Senate Military Affairs Committee,* 78th Cong., 1st Sess. (Washington: 1943), p. 22.

[42] Ibid., pp. 23–24.

[43] Ibid., p. 14.

August 10, 1942; dependency benefits for conscientious objectors, January, 1945; overseas service, June 30, 1943; Federal Government employment, March 10, 1943; the appropriation of funds from conscientious objector services (1) for the Office of Foreign Relief and Rehabilitation Operations, September 14, 1943, (2) for expenditure by the United Nations Relief and Rehabilitation Administration, January 3, 1945, (3) for needy dependents, January 10, 1945, and (4) for the International Children's Fund of the United Nations, February 13, 1947; the induction into the armed services of objectors who failed to comply with the rules governing operation of work of national importance, April 2, 1945; and the discharge of conscientious objectors both in the armed forces and in Civilian Public Service Camps, June 26, 1945.

Review

The fact that there were no changes in the conscientious objector provisions of the Selective Training and Service Act of 1940 during their 6½ years of existence was perhaps an indication of their careful development. These provisions made four distinct advances over previous national legislation on conscientious objection. The first was a broader definition for objection which based it upon conscientious opposition to participating in war by reason of religious training and belief. In World War I the basis was the narrower one of membership in any well-recognized religious sect or organization forbidding participation in war; that of the Civil War under the final enactment of the Federal Government (1864) was membership in a religious denomination conscientiously opposed to bearing arms.

The second step forward was to allow the Selective Service registrant to file an appeal with the appeal board in the event the local board did not sustain his claim for exemption from combatant or noncombatant training and service. The System's board of appeal then referred the case to the Department of Justice for inquiry and hearing, which agency after taking such action made recommendation to the appeal board on the type of service. Neither the World War I nor Civil War enactments contained such special instruction.

The third was a new provision for assignment in lieu of induction, to work of national importance under civilian direction. Likewise provided for was assignment upon induction by the armed forces to noncombatant duty as defined by the President. The 1917 law made provision only for service within the armed forces in any capacity declared by the President to be noncombatant. Later, however, furlough from the Army to farm and industrial work was provided by another law. The Federal Enrollment Act of 1864 said that inducted objectors should be assigned as noncombatants by the Secretary of War to duty in the hospitals or the care of freedmen or should pay the sum of $300 to be applied in benefiting sick and wounded soldiers.

The fourth improvement was removing the control on work of national importance entirely from the armed forces and placing the direction of such work under civilians. This was not the case either in 1917 or 1864. The Selective Service Act of 1940 also provided that its violators would be tried in the Federal courts of the land and not by military courts martial as was the procedure during both previous occasions of national conscription.

As a result of this progress, there were prospects among registrants opposed to war of (1) somewhat greater cooperation in both combatant and noncombatant service with the Army and Navy and (2) of much greater cooperation in duty outside of these organizations under civilian control. Those averse to any kind of service were not exempted, however; they were violators of the law and subject to its penalties.

V

CONSCIENTIOUS OBJECTOR REGULATIONS

Regarding the conscientious objector provisions of the Selective Training and Service Act of 1940, the President of the United States was authorized, as in the case of other military manpower procurement provisions, "to prescribe the necessary rules and regulations" for their administration. The law established noncombatant service within the armed forces or work of national importance under civilian direction as the way in which a registrant opposed to war should perform his obligation when selected for induction. The general regulations of Selective Service covered the operations of the System with reference to conscientious objectors and in addition special regulations were issued on the Civilian Public Service Camps which were set up in connection with work of national importance.

The details of the regulations—both general and special—appear in the text and the appendices of the book. The purpose of this brief chapter is but to introduce them in one place now as a preparation for their later discussion and presentation.

Original Regulations of 1940

The Selective Service Regulations were issued in two editions, the first of which was composed of six separate volumes, dated from September 23, 1940 to October 22, 1940.[1] Each volume set forth the procedures for one phase of the administration and operation of the System. The volumes were divided into sections and paragraphs which were numbered consecutively throughout the entire set. Thus the first section and paragraph of volume I were numbered I and 101, respectively, and the first section and paragraph of volume III, XV and 301. These original regulations, revised by 127 amendments, were in effect from the time of their issuance until February 1, 1942, when the first printing of the second edition appeared.

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[1] Vol. 1, *Organization and Administration,* and vol. 2, *Registration,* were prescribed by Executive Order No. 8545, of Sept. 23, 1940. Vol. 3, *Classification and Selection,* by Executive Order 8560, October 4, 1940. Vol. 4, *Delivery and Induction,* by Executive Order 8574, October 22, 1940. Vol. 5, *Finance,* by Executive Order 8561, October 4, 1940. Vol. 6, *Fiscal Standards,* by Executive Order 8570, October 18, 1940.

Conscientious Objector Regulations in First Edition

The first edition of the regulations contained provisions relating to the classification of conscientious objectors, to their assignment to work of national importance under civilian direction and to special appeal procedures for them. Likewise included in a separate unnumbered volume was a series of paragraphs entitled, *Camp Regulations.* Inasmuch as the major conscientious objector operation of Selective Service was one of classification, most of the general regulations pertaining to this phase appeared in volume III, *Classification and Selection.*

Classes Available for the Objector

As first prescribed, the regulations provided a special class only for the objector who was unwilling to perform any military or naval service but who would accept assignment to work of national importance. Paragraph 361 stipulated:

> In Class IV–E shall be placed conscientious objectors who are classified for civilian work in accordance with paragraph 365.

This provision was not changed during the 6½ years of the System's existence.

With reference to the objector who was available for noncombatant service, paragraph 364 (b) provided the following on means of identification:

> Whenever a registrant is thus determined to be available for noncombatant service only, the local board shall indicate this by placing an "O" after the letter indicating his subclass on all records, reports, orders and other papers on which the registrant is mentioned by name. For example: Class I–A–O, Class I–B–O, Class I–D–O, or Class I–E–O.

Thus Class I–A–O identified the conscientious objector willing to perform noncombatant duty, who was available for general military service, and Class I–B–O the objector available for limited service.

Later by Amendment No. 72 to paragraph 365, effective June 13, 1941, registrants available for work of national importance in Class IV–E who possessed but limited physical fitness were identified as "Class IV–E (limited service)." On August 31, 1941, this designation was changed to Class IV–E–LS by Amendment No. 86. By the same amendment Class IV–E–H was established for the registrant formerly in IV–E or IV–E–LS who had reached his twenty-eighth birthday without having been assigned to work of national importance. Finally, after the entry of the United States into World War II, the urgent manpower needs of the Army caused the elimination of all limited service classes. Amendment No. 73 to the second edition, August 18, 1942, provided, therefore, that Classes I–B–O and IV–E–LS should no longer be used for conscientious objectors with limited-service qualifications. It also provided for the discontinuance of Class IV–E–H.

Classification and Appeal Procedures

Section XXV of volume III, *Classification and Selection*, set forth the classification process as it related to conscientious objection, outlining the procedure for the filing of claims of conscientious objection, for the classification of objectors opposed to combatant service only and for the classification of those opposed to all military service, and providing for a register at local boards of all objectors whose claims were sustained.

The conscientious objector had the same rights of appeal as every other registrant. In addition, special appeal procedures were prescribed by the regulations. Paragraph 375, as originally written, stipulated that when the appeal of an objector was taken to the board of appeal, unless the registrant was placed in Class II, III, or IV (other than IV–E), his file should be forwarded to a United States Attorney for an advisory recommendation of the Department of Justice before the board of appeal was permitted to make its decision.

Later, October 27, 1943, after paragraph 375 had become section 627.25 in the second edition of the regulations, the Department of Justice was relieved of some of the additional burden placed upon it by the conscientious objector hearings through Amendment No. 183. This amendment authorized the board of appeal to classify into Classes IV–E and I–A–O claimants of such classification without first referring the case to United States Attorney.

Civilian Public Service Camp Regulations

The special regulations to the Selective Training and Service Act of 1940, known as *Camp Regulations*, which were to be established for Class IV–E objectors who had been assigned to work of national importance under civilian direction, provided the rules and procedures for the administration and operation of the Civilian Public Service Camps. Authorized by Executive Order 8675, February 6, 1941, these special regulations vested in the Director of Selective Service authority to "designate or determine work of national importance under civilian direction." Contained in 23 paragraphs, they specified the responsibilities of a Camp Operations Division in the National Headquarters of the System and of the administrative personnel for the camps; defined the functions of a National Service Board for Religious Objectors to develop with Selective Service plans for utilizing objector registrants in work of national importance; provided for health standards in the camps, a safety program, an educational program, and work and camp operations; and designated authority for certain operational procedures.

Revision of Volume III, First Edition

Volume III, *Classification and Selection*, in the first edition of the regulations, was revised September 3, 1941, to make its provisions current with amended procedures. No change in the organizational structure of the volume was made, however. The important changes which occurred in the provisions relating to conscientious objectors have already been indicated.

Amendments to the First Edition

The most significant amendments to the first edition of the regulations which applied to conscientious objection, are presented in the following compilation:

Amendments to the first edition of the regulations affecting conscientious objectors, Sept. 23, 1940–February 1 1942

Amendment No.	Effective date	Paragraph affected	Purpose of the amendment
71	June 20, 1941	375 (a)	To provide that in appeals involving claims of conscientious objectors, the board of appeal should review the file as provided in pars. 373 and 374 which outline the specific procedures.
		375 (b)	To provide that the board of appeal shall direct that the IV-E claimant, if not eligible for deferment in Class IV (other than IV–E or IV–F), Class III or Class II, be physically examined before transmitting his file to the U. S. district attorney for a recommendation and to provide further that no file should be forwarded unless the Questionnaire (Form 40) and a letter of transmittal state that the board of appeal has reviewed the file and determined that the registrant is not eligible for deferment in Class IV (other than IV–E), III, or II.
72	June 13, 1941	365	To delete par. 365 in its entirety and to prescribe the procedures for classifying and assigning to work of national importance the registrant whose claims to exemption from all military service are sustained; the action to be taken when a registrant fails to report for work of national importance or fails to abide by the regulations prescribed by the Director; and the provision of transportation, meals, and lodging for the dischargee en route to his home or the local board.
88	Aug. 31, 1941	330	To add to the classes for which registrant should first be considered before a physical examination, Classes I-C, II-B, and I-H and to enumerate as subclasses of Class IV (referred to in original regulations), Classes IV–D, IV–C, IV–B, and IV–A.
89	do	331	To provide for the classification of conscientious objectors fit for limited service after physical examination in Class IV–E–LS.
100	do	363	To enumerate the order of deferred classes in which a conscientious objector might be deferred before his claim as an objector is considered and to delete reference to Class I–D and I–E.
101	do	364	To include among records and papers on which identifying "O" following classification is placed, the Classification Record (Form 100) and Delivery List (Form 151), and to delete reference to Class I–D–O and I–E–O.
102	do	365 (a), (b), (g)	To substitute for Class IV–E (limited service) Class IV–E–LS for objectors opposed to combatant and noncombatant service and fit for limited service only and to provide that in Class IV–E–H should be placed registrants formerly in Class IV–E or Class IV–E–LS who are 28 years of age and have not been assigned on July 1, 1941, or July 1 of any subsequent year.
105	do	375	To include Class I–H among classes in which the board of appeal may place a registrant before considering his claim as a conscientious objector.
120	Dec. 24, 1941	365	To provide that until it is determined that a particular age group should be deferred, registrants should no longer be placed in Class IV–E–H.

The Second Edition

Three printings to the second edition of the regulations were issued. The first printing became effective February 1, 1942.

In the second edition the physical arrangement used in the first or original edition was changed. In place of separate "volumes", "sections" and "paragraphs" the regulations were divided into "parts" numbered from 601 to 692 and sections, such as 601.1 and 692.1. A conversion table showing the relations between the "parts" and "sections" of the second edition and the "paragraphs" of the first edition was included. A total of 125 amendments was made to this first printing of the second edition.

The second printing of the second edition covered the regulations from February 1, 1943 through July 31, 1945. This printing incorporated the changes in the regulations made by amendments issued during the preceding year ending February 1, 1943, and included subsequent amendments Nos. 126 to 334, inclusive.

The third printing of the second edition contained the regulations as effective July 31, 1945, and amendments Nos. 335 to 423, inclusive. The inclusion of these amendments made the regulations current through March 31, 1947.

Under the revised form in which the second edition of the regulations was issued, five parts related exclusively to objectors willing to accept work of national importance only. Part 651 was headed, Determination of Acceptability of Persons for Work of National Importance Under Civilian Direction; Part 652, Assignment and Delivery of Persons to Work of National Importance Under Civilian Direction; and Part 653, Work of National Importance Under Civilian Direction. The *Camp Regulations* were contained in Parts 691 and 692.

Determination of Acceptability

Part 651 set forth the procedures as related to the final-type physical examination for determining the acceptability of Class IV–E registrants for work of national importance under civilian direction. Every registrant in Class IV–E had to report for a final-type physical examination before being accepted for such work. An Order to Report for Final-Type Physical Examination (DSS Form 48A) was mailed to the registrant by the local board when his order number was reached for this purpose. Following such examination the local board either retained the registrant in Class IV–E if he had been found qualified, or reclassified him in Class IV–E–LS if qualified for limited service only, or in Class IV–F if disqualified. This procedure was eliminated with the amendment of the Selective Training and Service Act, by Public Law 197, effective December 5, 1943, which provided that a registrant could request and receive a preinduction physical examination when his induction appeared imminent. Previously, examination was only given after the registrant had been called up for induction.

Assignment and Delivery

Part 652 specified the manner in which Class IV–E registrants were to be assigned and delivered to work of national importance under civilian direction. Assignment was made by the Director of Selective Service upon being notified by the local board on a Conscientious Objector Report (DSS Form 48) of the objector's acceptability. The registrant was then ordered to report for this work by the local board following its receipt of an Assignment to Work of National Importance (DSS Form 49) from the Director. Transportation to the Civilian Public Service Camp was provided by the System. Like inductees into the armed forces Class IV–E, registrants were assigned to such work for the duration of the emergency and 6 months thereafter.

Work of National Importance

Part 653 related to work of national importance. Under the authority vested in the Director of the Selective Service System to "establish, designate, or determine work of national importance under civilian direction" regulations were provided for the administration and operation both of Government-operated and church-operated Civilian Public Service Camps. Administratively, both were under the civilian direction of Selective Service and technically under the supervision of the Government agency concerned. The regulations directed that funds for the Government-operated camps should be provided by the System, and that such expenses of camps sponsored by the National Service Board for Religious Objectors as wages, clothing, feeding, housing, hospitalization, and all other costs of operating should be borne by that organization.

The regulations further stipulated that assignees should be paid $5 a month and be furnished with "subsistence, proper clothing for the performance of their duties and such other personal supplies or equipment" as seemed necessary. By Amendment No. 236 to section 653.3 (e), effective June 7, 1944, the Director of Selective Service was authorized to provide in lieu of these necessities a cash allowance. The same amendment also provided for a physical examination of the assignee as soon as he arrived at camp to determine whether there had been any change in his physical or mental condition since his preinduction physical examination, and extended the responsibility of the Director to supervision and control over all projects.

After an assignee had completed his period of service, section 653.14 provided that he receive a certificate of release from active participation in work of national importance and that he be transferred to a reserve for 10 years until he had attained the age of 45 or until he was discharged, whichever occurred first. The assignee remained in Class IV–E at his local board.

Sections 653.15 and 653.16 authorized the Director of Selective Service to release an assignee from work of national importance prior to his completion of service, either to volunteer for induction into the armed forces and take up combatant or noncombatant duty, or under conditions which would likewise permit release of a member of the armed forces. An amendment to section 653.15 effective March 16, 1943 (Amendment No. 40), relieved assignees who were discharged to volunteer for military or naval service from having to submit first to a physical examination.

Camp Regulations, Second Edition

The *Camp Regulations*, issued as a separate series of paragraphs in the first editions, were incorporated in the second edition as Part 691, Rules for Camps Operated by the National Service Board for Religious Objectors, and as Part 692, Rules for Government-Operated Camps. Among the more important amendments to these parts was Amendment No. 128 to section 691.13, effective February 23, 1943, which provided upon order of the Director of Selective Service for a physical examination by the medical advisory board of an assignee who in the opinion of the camp physician was "physically unfit to perform work of national importance." Amendment 222, effective May 5, 1944, revise Part 691 in its entirey. This amendment also provided minor administrative changes in the new provisions.

Part 692 was likewise revised in its entirety May 5, 1944, by Amendment No. 223. Most of the changes effected thereby related to camp discipline with more flexibility given the camp director in determining disciplinary measures. An additional amendment (No. 298) effective April 3, 1945, provided for more prompt action by the camp director in regard to a. w. o. l. absences of assignees. Under the new procedure, the camp director was instructed to make a report immediately to the Director of Selective Service on assignee departures or absences without permission in contrast to the 10-day interim previously stipulated. The amendment also provided that any disciplinary action already taken by the Director or camp director or lack of such action should in no way be considered a necessary precedent for prosecution of the assignee for violation of the Selective Training and Service Act of 1940, as amended.

Amendments to the Second Edition

As a conclusion to this discussion the most important amendments to the second edition of the regulations which related to conscientious objectors are presented in abbreviated form below:

Amendments to the second edition of the regulations affecting conscientious objectors, Feb. 1, 1942–Mar. 31, 1947

Amendment No.	Effective date	Part or section affected	Purpose of the amendment
15	Feb. 1, 1942	653.11	To change the item number of sec. VI of the Report of Physical Examination and Induction (Form 221) to "81."
16	Feb. 6, 1942	623.51	To add par. (g) providing for the distribution of Report of Physical Examination and Induction (Form 221), after physical examination of registrants classified in Class I–A, I–A–O, I–B–O, IV–E, IV–E–LS, or IV–F.
33	Mar. 16, 1942	632.51	To delete the reference in subparagraph 1 to the physical examination for which registrant in Class I–A, I–A–O, or IV–E was to be forwarded, in view of the new procedure to be adopted shortly.
38	do	643.5	To substitute for the order that a person paroled for induction into the armed services should report for a physical examination by the armed forces, the order to "report for induction."
40	do	653.11	To substitute in paragraph (d) the words "item 79" for the words "sec. VI" before the words "of the report of physical examination and induction" at the beginning of the paragraph; and to substitute in par. (e) the words "except that the report of the camp physician shall be used in lieu of the report of the medical board of the armed forces," for the words "except that the local board examining physician shall be used in lieu of the examining station of the armed forces."
		653.15	To delete from par. (f) the words "for physical examination by the armed forces" and before the words "for induction into the land or naval forces."
55	May 29, 1942	627.25	To add to classes for which board of appeal should first consider conscientious objector Class III–B before considering his claim as objector.
58	June 3, 1942	622.51 and 622.52	To add paragraph (b) to provide for the classification in Class IV–E of inducted registrants and inducted limited service registrants who will be discharged because of conscientious objections which make them unadaptable to military service.
59	do	652.2	To accomplish the purpose of immediate assignment to work of national importance under civilian direction of men who will be discharged from the land or naval forces because of conscientious objection which will make them unadaptable to military service.
		652.11	To eliminate the mandatory requirement that local boards forward Assignment to Work of National Importance (Form 49) to the Director of Selective Service.
73	Aug. 18, 1942	622.1, 622.11–622.14, 622.51–622.53, 622.62.	To abolish Class I–B, Class I–B–O and Class IV–E–LS and discontinue Class IV–E–H.
74	do	623.33, 623.51, 623.61, 623.62, 623.71.	To delete reference to limited service, Classes I–B, I–B–O and IV–E–LS.
92	do	622.41, 622.53	To delete Class IV–E–H and to provide for classification into Class IV–A of every registrant liable for training and service who has attained 45th anniversary of birth without having been inducted.
98	Nov. 20, 1942	623.52 623.53	To add these sections to deal with waivers of moral disqualifications for military service and work of national importance.
104	Dec. 15, 1942	628.2	To permit an appeal to the President in any case where there is a divided vote by the board of appeal and the registrant is Classified in Class I–A, Class I–A–O or Class IV–E.
116	Jan. 2, 1943	643.5	To provide for the reclassification into Class IV–E of persons who are conscientiously opposed to both combatant and noncombatant service in the armed forces prior to their parole to Civilian Public Service Camps.

Amendments to the second edition of the regulations affecting conscientious objectors, Feb. 1, 1942–Mar. 31, 1947—Continued

Amendment No.	Effective date	Part or section affected	Purpose of the amendment
117	Feb. 1, 1943	651.1–651.11, 651.21, 651.31	To provide that Class IV–E registrants will be forwarded to an Army induction station for final-type physical examination in a manner similar to that by which other registrants are forwarded for physical examination and induction.
135	Mar. 6, 1943	623.61	To require that local boards enter opposite item 27 (a) of the Report of Physical Examination and Induction (Form 221) a statement to the effect that a registrant has been denied a claim for a classification in Class I–A–O or Class IV–E, if such is the case.
143	Apr. 3, 1943	653.12	To place a duty upon assignees to comply when directed to transfer from one camp to another and to clarify the language generally.
151	May 5, 1943	653.13	To specifically authorize the Director of Selective Service to delegate the authority to order the transfer of assignees.
159	June 16, 1943	643.5	To permit the Director of Selective Service to order that registrants in Class IV–E who are to be paroled for assignment to work of national importance, be given the required final-type physical examination by any physician authorized by the Director of Selective Service to physically examine such registrants so that it will no longer be necessary to forward such registrants to the induction station for examination by the physicians of the armed services. Under the provisions of this amendment the Director of Selective Service has authorized Public Health Service physicians attached to each Federal prison to physically examine registrants who have been recommended for parole for assignment to work of national importance. Such examination shall be conducted in the manner provided in the Selective Service regulations for final-type physical examination for registrants in Class IV–E. The provisions of MR 1–9 will be used as a basis for determining standards of acceptability.
164	July 15, 1943	651.10	To conform this section relating to action of local board following final-type physical examination of Class IV–E registrants to the procedure set forth in Part 633 in connection with registrants who have not been accepted at the induction station because they are disqualified for military service.
165	do	653.11, 653.11–1	To conform procedure covering registrants in Class IV–E who have been rejected for or separated from work of national importance to the procedure outlined for registrants rejected for or separated from the land or naval forces.
166	July 17, 1943	623.51	To eliminate reference (transfer) for local board physical examination and to provide that under certain conditions the local board physical examination need not be given.
175	Sept. 25, 1943	651.2	To change the word "triplicate" to "duplicate" in reference to preparation of Order to Report for Final-Type Physical Examination (Form 48A) of Class IV–E registrants.
181	Nov. 1, 1943	642	To provide for the registration of a nonregistrant delinquent; for the prompt classification into Class I–A, I–A–O, or IV–E of every delinquent registrant between the ages of 18 and 45; for the mailing of an Order to Report for Induction (Form 150) or an Order to Report for Work of National Importance (Form 50), as the case may be, to each registrant between the ages of 18 and 38 so classified; for the usual rights of personal appearance and appeal and, under certain circumstances, for the reopening of the classification of such registrant; for the continuous duty of such registrant to report for induction or for work of national importance; for the completion of documents of a registrant who reports to or is brought before a local board or is taken into custody or placed in confinement and for the correlation of actions among local boards, the United States Attorney, the State Director of Selective Service, and the Director of Selective Service concerning delinquents and certain of their records, including Delinquent Registrant Report (Form 550), Record of Delinquents (Form 551), and Summary of Delinquents (Form 552).

Amendments to the second edition of the regulations affecting conscientious objectors, Feb. 1, 1942–Mar. 31, 1947—Continued

Amendment No.	Effective date	Part or section affected	Purpose of the amendment
183	Oct. 27, 1943	627.25	To permit the board of appeal to classify into Class IV–E a registrant who has claimed such classification and to permit a board of appeal to classify into Class I–A–O a registrant who has claimed such classification without referring the case to the United States District Attorney for an advisory recommendation of the Department of Justice, regardless of the local board classification appealed from.
194	Dec. 11, 1943	627.25 (a)	To except Class IV–F from classes for which board of appeal may consider conscientious objector claimant before considering his claim as conscientious objector.
197	Jan. 10, 1944	623.21	To revise the order in which classes are considered when a registrant is being classified so as to provide that Class IV–C and Class IV–F (moral) shall be given consideration just prior to determining whether or not a registrant should be placed in Class I–A, Class I–A–O, or Class IV–E; to eliminate the provisions for physical examination just prior to consideration of Class I–A, Class I–A–O and Class IV–E; and to provide for classification in Class I–A, Class I–A–O and Class IV–E before the registrant is given any physical examination.
198	Jan. 1, 1944	651	To delete because it will no longer be applicable in view of the new preinduction physical examination provided for in Part 629.
199	do	652.1, 652.11	To conform the procedure to the new preinduction physical examination procedure and to fix the time when, under the new procedure, the local board will forward Form 48 to the Director of Selective Service notifying him that the registrant is available for assignment to work of national importance under civilian direction.
202	Jan. 10, 1944	627.13, 627.14	To provide for the holding in the local board of the files of registrants who are classified in Class I–A, Class I–A–O, and Class IV–E, when appeal is taken, until the registrant has been given a preinduction physical examination.
210	Feb. 2, 1944	653.11	To revoke the authority heretofore vested in directors of Civilian Public Service Camps to reject assignees to work of national importance for physical or mental reasons and to provide for the disposition by the camp director of the original and first copy of the Report of Physical Examination and Induction (Form 221).
220	Mar. 22, 1944	663.3	To eliminate provisions concerning transfer for final-type physical examination for Class IV–E registrants.
222	May 5, 1944	691	To provide regulations for the organization of camps operated by the National Service Board for Religious Objectors and for the care, welfare, discipline and work program of Class IV–E registrants assigned to such camps.
223	do	692	To provide regulations for the organization of camps operated by the Government, and for the care, welfare, discipline, and work program of Class IV–E registrants assigned to such camps.
236	June 7, 1944	653.1 (c)	To provide that the responsibility and authority for the supervision and control over all projects is vested in the Director of Selective Service.
		653.2 (b)	To provide that Government-operated camps will be under the civilian direction of a technical agency.
		653.3 (a)	To provide that the Director of Selective Service will make available to each technical agency having supervision over a work project such funds as the Director may determine are required for the operation of the camp.
		653.3 (e)	To provide that the Director of Selective Service is authorized to provide assignees in Government-operated camps with proper subsistence, clothing, and other personal supplies and equipment as he deems necessary. To provide also that the Director of Selective Service is authorized to provide a cash allowance for such assignees in lieu of necessities, which cash allowance shall be in such amount per month as the Director of Selective Service shall determine.

Amendments to the second edition of the regulations affecting conscientious objectors, Feb. 1, 1942–Mar. 31, 1947—Continued

Amendment No.	Effective date	Part or section affected	Purpose of the amendment
236	June 7, 1944	653.3 (f)	To provide that except when otherwise specifically authorized for a particular purpose by the Director of Selective Service, the purchase and procurement of supplies, the maintenance of buildings and equipment, and the pay of administrative personnel and of allowances to assignees in connection with Government-operated camps will be in accordance with the laws, rules, and regulations governing such actions within the Selective Service System.
		653.4 (a)	To provide that unless the necessary transportation, meals, and lodging for assignees is otherwise provided, the Director of Selective Service will supply camp directors with such books of Government requests for transportation and Government request for meals or lodgings for civilian registrants as may be necessary.
		653.11 (b), (c), (d), (e)	To provide that an assignee upon arrival at a Civilian Public Service Camp shall be given a physical examination to determine if any change has occurred in his physical or mental condition since his preinduction physical examination.
		653.15 (d)	To provide that any assignee who volunteers for induction into the land or naval forces shall include in application for voluntary induction a request for immediate induction.
237	June 23, 1944	627.25	To provide that the letter containing the recommendation of the Department of Justice and the report of the hearing officer shall be placed in the registrant's file by the board of appeal.
244	July 6, 1944	622.82	To provide that a selected man in Class IV–E who has been found qualified for limited service shall be identified in all records by following his classification with the letter "(L)" so long as he remains classified in Class IV–E.
45	do	652.1	To provide that a registrant classified in Class IV–E and identified with the letter "(L)" whose order number is reached in the process of selecting Class I–A and Class I–A–O registrants who are identified with the letter "(L)" to report for induction, shall be reported to the Director of Selective Service on Conscientious Objector Report (Form 48).
250	Aug. 5, 1944	622.81	To provide that the identification "(H)" shall not be used for registrants in Class IV–E while assigned to work of national importance under civilian direction.
258	Sept. 20, 1944	653.15	To provide more specifically the procedure upon application by an assignee for induction into the armed forces.
259	Oct. 5, 1944	622.82	To provide that the classification of registrants heretofore classified in Class I–A, Class I–A–O or Class IV–E and identified with the letter "(L)" as having been found qualified for limited service only, shall be immediately reopened and such registrants classified in Class IV–F unless placed in a deferred classification.
262	Nov. 4, 1944	622.51 (c) (d) (e)	To provide that a registrant placed in Class IV–E who is assigned to and reports for work of national importance shall, during his period of service and after his release therefrom, remain in Class IV–E unless his reclassification into some other class is specifically authorized by the Director of Selective Service. To provide also that a registrant placed in Class IV–E and assigned to work of national importance who dies shall remain in Class IV–E and shall be identified on all records with the abbreviation "Dec." as required by section 622.86.
263	do	652.1	To eliminate paragraph (b) which provided the order in which registrants placed in Class IV–E and identified with the letter "(L)" shall be assigned to work of national importance.
		652.13–1	To provide that the local board shall forward the registrant's Cover Sheet (Form 53) and file to the State Director for transmission to the Director upon receipt of the completed copy of Form 50 stating that the registrant has reported for work of national importance.

Amendments to the second edition of the regulations affecting conscientious objectors, Feb. 1, 1942–Mar. 31, 1947—Continued

Amendment No.	Effective date	Part or section affected	Purpose of the amendment
264	Nov. 4, 1944	653.11–1	Deleted because par. (a) of such section is now covered by par. (3) of sec. 622.51, par. (c) is covered by sec. 623.85 and par. (b) is in conflict with par. (d) of sec. 622.51.
265	Nov. 24, 1944	653.12	To provide that registrants assigned to work of national importance shall comply with any order to transfer from one camp or project to another and leave the camp or project from which transferred and proceed and report to the camp or project to which transferred in accordance with such order.
275	Jan. 5, 1945	642.13 (a)	To provide that delinquents, who are classified in Class I–A or Class I–A–O, shall be ordered to report for induction in the manner provided in 632.4.
		642.13 (b)	To provide that delinquents, who are classified in Class IV–E, shall be reported for assignment to work of national importance in the manner provided in sec. 652.1 (a).
276	Jan. 5, 1945	652.1 (a)	To provide that a registrant found qualified for general military service, who is classified in Class IV–E, shall be reported to the Director as available for assignment to work of national importance when his order number is reached in the process of selecting Class I–A and Class I–A–O registrants who have been found qualified for general military service to report for induction.
		652.1 (b)	To provide that a registrant found acceptable for military service, who is classified Class IV–E, shall be reported to the Director as available for assignment to work of national importance when his order number is reached in the process of selecting Class I–A and Class I–A–O registrants found acceptable for military service to report for induction.
289	Mar. 1, 1945	652.1 (c)	To provide that the original Form 221 showing preinduction physical examination within 90 days shall be forwarded to the State Director of Selective Service for transmission to the Director of Selective Service with the Conscientious Objector Report (Form 48) whenever the local board notifies the Director that a registrant is available for assignment to work of national importance.
		652.11 (a)	To eliminate the requirement that the original and first copy of Form 221 be sent to the camp director in the case of a registrant who has been mailed an Order to Report for Work of National Importance (Form 50).
290	Mar. 1, 1945	653.11 (b) and (c)	To eliminate the reference to the original and first copy of Form 221 and to provide that when a registrant has reported to a camp, the camp physician shall give the assignee a physical examination and report to the Director of Selective Service a defect which may render the assignee unfit for general camp service. To provide also that irrespective of the assignee's physical condition or mental condition at the time he reports to camp, he shall be accepted.
297	Apr. 3, 1945	691.17 (c)	To provide that the camp director shall immediately report to the Director and may report to the proper United States Attorney any assignee who leaves the camp without authority.
		691.17 (e)	To provide that an assignee shall forfeit 3 days of furlough time for each day of unauthorized absence.
		691.17 (h)	To provide that a report by the camp director to the Director or to the United States Attorney of the violation by an assignee of the Selective Service law or the taking or refusal to take any disciplinary action against such assignee by the Director or by the camp director, is not a condition precedent to prosecution of such assignee for such violation.
298	do	629.17 (c)	To provide that the camp director shall immediately report to the Director and may report to the proper United States Attorney any assignee who leaves camp without authority.

Amendments to the second edition of the regulations affecting conscientious objectors, Feb. 1, 1942–Mar. 31, 1947—Continued

Amendment No.	Effective date	Part or section affected	Purpose of the amendment
298	Apr. 3, 1945	629.17 (j)	To provide that a report by the camp director to the Director or to the United States Attorney of the violation by an assignee of the Selective Service law or the taking or refusal to take any disciplinary action against such assignee by the Director or by the camp director is not a condition precedent to prosecution of such assignee for such violation.
306	May 23, 1945	622.51	To provide that a registrant who has been separated from work of national importance shall not be available for reassignment without specific authorization of the Director.
320	July 6, 1945	622.41	To exclude from Class IV–A a registrant, aged 38 or over, who after being placed in Class IV–E, has been separated from work of national importance under civilian direction and retained in Class IV–E as required by sec. 622.51.
333	July 23, 1945	652.14	To provide that a registrant assigned to work of national importance shall serve for the duration of the war plus 6 months unless sooner released by the Director of Selective Service.
357	Nov. 9, 1945	653.4 (a)	To eliminate the former provision that if an assignee has been transferred to a camp or other place of release for the convenience of the assignee, he should not be provided upon release with requests for transportation, meals and lodgings in excess of the requests that would have been required had such transfer not taken place; and to provide that the Director of Selective Service shall not be responsible for furnishing and the camp director shall not issue requests to a released assignee for transportation, meals or lodgings in connection with any travel by the assignee outside the continental limits of the United States.
376	Feb. 15, 1946	622.83–1	To provide that a registrant who has been found to be qualified for limited military service or acceptable for military service and who is placed in Class I–A, Class I–A–O, or Class IV–E, shall be identified in all records by following his classification with the letter "(B)."
387	July 17, 1946	622.87 (a)	To correct the effective date of the discontinuance of Class IV–E–H to Nov. 19, 1942.
400	Sept. 17, 1946	622.51 (d)	To provide for retention in Class IV–E of registrants separated from work of national importance by a certificate of release.
		622.51 (e)	To specify the identification required by sec. 622.86.
		622.51 (f)	To provide for classification procedure in the case of registrants separated from work of national importance other than by issuance of certificate of release or by death.
		622.86–2	To conform to the provisions of the amended sec. 622.51 (d).
		622.86–3	To provide the type of identification to be given registrants separated from work of national importance other than a certificate of release or by death.
410	Dec. 16, 1946	623.21 (a)	To make this section conform completely to the provisions of sec. 622.51 (b), (c), (d), (e), and (f) relating to the classification and retention of certain registrants in Class IV–E.
423	Mar. 31, 1947	642.41 (a) and (d)	To provide that when a delinquent registrant has injected the element of religion into his classification, Delinquent Registrant Report (DSS Form 550) shall not be mailed to the United States Attorney until the registrant's file has been reviewed by the State Director of Selective Service and by the Director of Selective Service.

Conclusion

The above compilation and the preceding materials of this chapter indicate that both the general Selective Service Regulations on objectors and the special ones for their camps tried to carry out the spirit and the letter of the World War II legislation on conscientious objection. What is more, these rules which the System used to execute the C. O. provisions were prepared in the light of pertinent Congressional hearings of 1940 and the church backgrounds and wartime experiences in the United States of men opposed to resistance or violence. In other words, observance was given to the basic philosophy of the enactment that liable men must serve during an emergency but within the confines of their beliefs.

VI

THE OBJECTOR WHO PERFORMED NONCOMBATANT SERVICE

The law and the regulations upon which the 1940–47 operations of Selective Service were based provided that conscientious objectors inducted into the armed forces could perform such duty in a noncombatant way. The legislation and the rules of administering it went even further by also providing, in lieu of induction, for assignment to work of national importance under civilian direction if noncombatant service was a violation of conscience.

No provisions were made, however, for the registrant who was opposed to war, resistance or violence and would accept neither induction for noncombatant duty nor assignment to work of national importance. This individual, who would perform no service whatsoever, was a violator of the law and subject to the penalties thereof. In such regard the American public held firmly to its 1940 philosophy that every liable person must give some kind of service in time of emergency, a concept which had been developing since early colonial times through acquaintanceship and experience with conscientious objectors and their church backgrounds.

During World War II there were few objectors who would not perform any kind of service. Those who did work of national importance were much more numerous. More numerous still were those who performed noncombatant duty. The present chapter deals with this latter group which objected only to combatant service.

Conscientious Objectors as Noncombatants

During World War II Selective Service furnished for induction into the armed forces approximately 25,000 conscientious objectors who were opposed to military or naval training and service of combatant nature. They were willing to perform noncombatant duty, however, and in order to distinguish these registrants from men objecting to any and all types of service with the armed forces, the term "conscientious cooperators" was sometimes used. The conscientious cooperator although wishing to support his government, was forced to decline participation in overt acts of war and bloodshed because of the dictates of conscience. As has been seen specific provision was made in section 5 (g) of the Selective Service Act for such men to "be assigned to noncombatant service as defined by the President" and thus not violate their beliefs. This was in the original law and was not amended at any time during the 6½ years of the System's operation.

Recording of Objection on Registrant's Questionnaire

When a man registered with Selective Service no specific opportunity was given him to indicate conscientious objection. However, the Questionnaire (DSS Form 40) which the System usually had him prepare shortly after registration provided a means whereby he could make such position known. This form always constituted the first official request for information upon which to base a registrant's classification. The part of the questionnaire referring to conscientious objection was found on page 6 and in the last version of the form used by Selective Service, prescribed January 31, 1942, it read as follows:

SERIES X. CONSCIENTIOUS OBJECTION TO WAR

Instructions.—Any registrant who, by reason of religious training and belief, is conscientiously opposed to participation in war in any form shall sign the statement below requesting a special form of conscientious objector (Form 47) from the local board which must be completed and returned to the local board for consideration.

By reason of religious training and belief I am conscientiously opposed to war in any form and for this reason request that the local board furnish me a special form for conscientious objector (Form 47) which I am to complete and return to the local board.

(Signature)

Three earlier editions of Form 40 contained a slightly different wording. In the first edition, prescribed September 24, 1940, the registrant was asked to indicate whether he was opposed to combatant military service or to noncombatant military service. The second edition was prescribed January 3, 1941 and the third May 26, 1941. They did not include other than minor changes in series X.[1]

The Special Form for Conscientious Objector (DSS Form 47),[2] referred to in the questionnaire, consisted of four pages and gave the registrant an opportunity to specify a claim of exemption from combatant training and service or one of complete exemption from all military or naval training and service and in the event of the latter to request assignment to work of national importance under civilian direction. The Form 47 provided information on religious training and beliefs, general background and participation in different organizations. Additional provision was made for references and the registrant was expected to support his claim by an affidavit. Form 47 is later discussed in more detail.

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[1] Appendix F, Item No. 83.

[2] Appendix F, Item Nos. 86 and 87.

The Routine Deferment of Many Objectors

In the regular process of selection the conscientious objector was first considered for classification by his local board without any regard to his claim on DSS Form 47. If he qualified for exemption or deferment from service on the same grounds as any other registrant, that is, for legal, dependency or occupational reasons, he was so classified and no classification attention was given to his Form 47. In other words the local boards of the System were instructed by the general regulations of Selective Service to give consideration first to placing any registrant—conscientious objector or other—in the classes provided for exempt and deferred persons. The man's board was to investigate and pass upon his claim of conscientious objection only if, but for such claim, he would become available for combatant training and service—become eligible for physical examination by the armed forces and for induction if found qualified upon such examination.

Class I–A–O

In the event the local board did not find the conscientious objector eligible for exemption or deferment upon its first consideration of his case along with those of other registrants, it then moved to determine the validity of his conscientious objector claim. If the claim could not be substantiated, he was placed in Class I–A as available for combatant military or naval service. A substantiation of his claim, however, made him eligible for Class I–A–O, noncombatant service in the armed forces, provided his DSS Form 47 indicated his willingness to be assigned to that type of duty. Class I–A–O, then, was the classification used by the local board to designate the so-called conscientious cooperator, the objector who was found to be available for noncombatant service.

The general Selective Service Regulation dealing with this class was section 622.12 and read as follows in the final edition:

> *Class I–A–O:* Available for noncombatant military service; conscientious objector. In Class I–A–O shall be placed every registrant who would have been classified in Class I–A but for the fact that he has been found, by reason of religious training and belief, to be conscientiously opposed to combatant military service in which he might be ordered to take human life, but not conscientiously opposed to noncombatant military service in which he could contribute to the health, comfort, and preservation of others.

If the Class I–A–O registrant later passed his physical examination and was inducted for noncombatant service, the local board classified him I–C, member of the armed forces, which was the same classification as that applied to any other inducted registrant.

It will be noted that Class I–A–O was the regular one for service availability except that the letter "O" was added to signify that the registrant was an objector. During the time Selective Service operated under the first edition of its regulations, September 23, 1940, to February 1, 1942, conscientious objectors available for service were not given a separate classification, but the local board was instructed to place an "O" after "I–A" on all records, reports, orders, and other papers which mentioned the registrant by name. At the time of the publication of the second edition of the regulations, however, a distinct classification instead of just an identification, was provided, namely, Class I–A–O.[3]

Class IV–E

In addition to the conscientious objector with the unsubstantiated claim who was placed in Class I–A and the one with the valid claim willing to perform noncombatant service who was put in I–A–O, there were two other types not exempted or deferred in the routine process of selection. One of these was the registrant determined to be available for service and having a valid claim whose Special Form for Conscientious Objector (DSS Form 47) indicated that his beliefs would permit him to accept only work of national importance under civilian direction. His local board designated him Class IV–E, available for such work. After qualification through physical examination he was assigned to duties of this nature and the board continued him in this classification. More will be said about this type in subsequent chapters.

A Special Appeal Procedure

The other type of objector not exempted or deferred in the regular process was the Class I–A, I–A–O or IV–E registrant who was not satisfied with such classification by his local board and decided to appeal it. For him Selective Service had a special procedure. If he appealed to the board of appeal and this unit upheld the local board classification, his case was referred to the Department of Justice. This was provided for by the act and implemented by the regulations (sec. 627.25 of the second edition).[4] When cases were so referred, a special investigation was conducted by the Federal Bureau of Investigation, a hearing was held before a specially appointed hearing officer, and the Department of Justice made a recommendation to the board of appeal regarding the registrant's classification. Then, but only then, was the objector subject to penalty for law violation if he did not accept the local board's classification. Succeeding chapters will likewise deal with this type of case.

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[3] *Selective Service Regulations,* 2d ed., 1st print (Washington: 1942), Sec. 622.12. In the 1st ed., sec. 622.12 was par. 364 (a), (b), which was amended by Amendment No. 101, effective August 31, 1941 (6 F. R. 4252). Sec. 622.12 itself was amended by Amendment No. 73, effective August 18, 1942 (7 F. R. 6517), and by Amendment No. 221, effective April 21, 1944 (9 F. R. 4835).

[4] In the 1st ed., sec. 627.25 was par. 375 (Appendix B, Item No. 3) which was amended by Amendment No. 71, effective June 20, 1941 (6 F. R. 2835), and Amendment No. 105, effective August 31, 1941 (6 F. R. 4253). Sec. 627.25 itself was amended by the following: Amendment No. 55, effective May 29, 1942 (7 F. R. 4155); Amendment No. 104, effective December 15, 1942 (7 F. R. 10520); Amendment No. 183, effective October 27, 1943 (8 F. R. 14657); Amendment No. 194, effective December 11, 1943 (8 F. R. 16720); and Amendment No. 237, effective June 23, 1944 (9 F. R. 7048) (Appendix B, Item No. 3).

The Liberal Approach to Classification

In the main the general procedure for the classification of conscientious objectors applied equally to all types of them. However, there was some tendency, among Selective Service local boards, when it came to distiguishing between Class I–A and Class I–A–O, to give the registrant claiming objection the benefit of any reasonable doubt by placing him in Class I–A–O. This tendency arose because for practical purposes the distinction between the two classes amounted mainly to a question of assignment within the armed forces after induction. The general feeling was that other things being equal it was advisable to give the man the type of assignment he requested. This would tend to make him a better soldier to the extent of the personal acceptability of his duty. There was never a time during the war when inducted men were not being needed for assignment to noncombatant work in considerable numbers. Hence, this liberality seemed a practical approach.

Selective Service Jurisdiction Over Classification

It was the policy of the War Department to recognize that Selective Service had exclusive jurisdiction over the classification of all registrants and especially over those claiming conscientious objection. Where men were certified to an induction station by the System as being in Class I–A–O this classification was considered final.

The procedure in this regard was for the local board to enter on a Delivery List (DSS Form 151) the name of each registrant who was being forwarded for induction. If he was in Class I–A–O that fact was stated after his name in the column of DSS Form 151 headed "Remarks." For each man listed as being forwarded there was likewise sent to the induction station his Report of Physical Examination and Induction (DSS Form 221) which also carried a notation regarding his classification. This was under section II, item 17, of DSS Form 221 which read as follows:

> 17. Determination of local board: (a) Registrant classified in class ---------- (b) Date of classification --------------------.

In this connection, Instruction No. 1 for Form 221, as amended, 7/18/46; subject: Completion and distribution of Form 221, paragraph 2, (b), (3) read:

(3) ITEM 17. *No entry will be made in this item for registrants forwarded for preinduction physical examination.*—A registrant's classification and the date of his classification will be entered under this item (a) for registrants classified in Class I–A or Class I–A–O immediately prior to the time the registrant is forwarded for induction * * * If the registrant has been denied a claim for classification in Class I–A–O or Class IV–E at any time, the local board shall enter opposite item 17 a statement to that effect.

Thus the System and the War Department attempted to make sure that the objector's classification accompanied him for assignment purposes after his induction. However, it was provided further by the War Department that when inductees still claimed to be conscientious objectors to combatant duty, after having their claims denied by their local boards, they were to be questioned fully in this regard by a chaplain. Upon the recommendation of the chaplain, the Army reception center commander might assign such men to medical units, that is, to noncombatant service. This decision was one of assignment and not classification, though, and neither the records of the armed forces nor of the local board were ever amended to show reclassification from I–A to I–A–O.

War Department Consideration of Inducted Objectors

Inductees who had been placed in Class I–A–O by their local boards were assigned exclusively to medical training centers or to medical units or detachments. An assignment of this kind was based on the same principles used for the assignment of other inducted personnel. Once assigned, the conscientious objector was not transferred to combatant service except upon his own written request.

On the other hand, inducted men not classified by Selective Service as I–A–O who still claimed religious scruples to combatant duty, might be reassigned from combatant units to medical units or installations, if in the opinion of a commanding officer who was authorized to transfer enlisted personnel, their claims were honest and warranted. However, the record in such event were not changed to show that the individual was an objector.

Within the Army, conscientious objectors were subject to all Army Regulations, including those on training and discipline with the exception of bearing arms or being trained in their use. The last directive of the War Department in this regard was paragraph 2 of Circular No. 160 issued June 4, 1946.[5]

Once in a while the records sent by the local board to the induction station showed a conscientious objector with a valid claim in Class I–A rather than I–A–O. This error occasionally resulted in his misassignment to combatant training and service. Upon the man's later making representations to the National Headquarters of Selective

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[5] Appendix C, Item No. 23.

Service, the information which he provided regarding such assignment was verified through the State Director with the local board of his jurisdiction. The erroneous assignment was thereupon called to the attention of The Adjutant General of the War Department which Department cooperated promptly in rectifying that mistake.

Presidential Definition of Noncombatant Service

The 1940 law provided that the types of military or naval service to which noncombatants could be assigned would be defined by the President. Accordingly, on December 6, 1940, Executive Order 8606 (5 F. R. 488) was issued by President Franklin D. Roosevelt.[6] It was entitled "Definitions of Noncombatant Training and Service." After citing the pertinent provisions of the act, the President declared that the following was noncombatant service: (1) service in any unit which was unarmed at all times, (2) service in the medical department wherever performed, and (3) service in any unit or installation the primary function of which did not require the use of arms in combat, provided the individual's assignment in such unit or installation did not require him to bear them or to be trained in their use. He further declared that noncombatant training consisted of training in all the military subjects except marksmanship, combat firing, target practice, and those subjects relating to the appointment of weapons.

The War Department circularized this Executive Order in Bulletin No. 43, December 27, 1940, and then issued Circular No. 2 on January 4, 1941, to implement it further.[7] In turn, information regarding the issuance of this War Department circular was furnished with explanations to all local boards and other agencies of Selective Service through the medium of Local Board Memorandum No. 51, dated October 28, 1941.[8]

Restriction of Assignment to Medical Corps

After the entry of the United States into World War II, it appeared advisable for the War Department to restrict the assignment of conscientious-objector personnel entirely to the Medical Corps. This part of the Army was most free at all times from having to bear arms. Its members operated during warfare under the protection of the international provisions adopted by the Geneva Conference.

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[6] Appendix A, Item No. 1.

[7] War Department Circular No. 2, January 4, 1941; The Adjutant General's letter to all commanding officers, AG 383.2 (12–12–40) P (A), January 8, 1941; War Department Circular No. 29, January 25, 1943; War Department Circular No. 91, April 3, 1943; War Department Circular No. 121, May 17, 1943; War Department Circular No. 469, December 14, 1944; and War Department Circular No. 160, June 4, 1946 (Appendix A, Item Nos. 15–23).

[8] Appendix C, Item No. 15; originally a Local Board Release but Transmittal Memo No. 1, of February 1, 1943, changed the title of "Release" to "Memorandum"; amended March 8, 1943, and again January 17, 1945.

The change in assignment policy was made by issuing War Department Circular No. 29 on January 25, 1943.

Entering the war meant a very great increase in the number of inductions and consequently in the number of objectors for noncombatant assignment. There would be battle casualties as well as more soldiers, and the Medical Corps must therefore grow. It needed personnel of the conscientious-objector type. In addition, these men were generally interested in the specific task of saving human life as opposed to its destruction through violence. Further, some of the forms of noncombatant service which had been defined by the President contributed directly to the resistance efforts of the Army.

International Legal Status of Noncombatants

Mention has been made of the protection afforded the unarmed Medical Corps of the United States Army and the armies of other countries by the international provisions adopted at the Geneva Conference. In consequence, a brief statement on the legal status of noncombatants in international warfare may be of interest. The term "noncombatant" is used in two different senses by international military law. It is applied both to the unarmed inhabitants of an invaded country and to those members of the armed forces of a belligerent country who are nonfighters. Article III of the Hague Conferences of 1899 and 1907 specifies that "The armed forces of the belligerent parties may consist of combatant and noncombatants."[9]

J. M. Spaight, authority on international military law, says that noncombatants form that part of the armed forces "whose function is ancillary to that of the fighting men and who do not themselves oppose the enemy arms in hand. The troops of the commissariat and intendance, of the veterinary service, of the pay and accounting department, and orderlies, clerks, and bandsmen, are noncombatants in the sense of article III. So, too, are the medical personnel and army chaplains, who, however, are further protected by the Geneva Convention."[10] The Geneva Convention of 1864 made provisions that "have developed into an organized system of protection and immunity for all the personnel of recognized religious, medical, and nursing service."[11]

Personal Safety Not the Concern of Objectors

It is in no wise intended to imply here that American conscientious cooperators who engaged in noncombatant service during World War II did so to seek personal safety. The present purpose is merely to point out that wherein the Geneva Conventions were honored and observed, medical units became the only ones in the Army where the conscientious objector could reasonably be guaranteed freedom from the necessity of being armed and trained in the use of arms.

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[9] J. M. Spaight, *War Rights on Land* (London: Macmillan & Co., 1911), p. 34.

[10] Ibid., p. 58.

[11] T. J. Lawrence, *The Principles of International Law* (6th ed., N. Y.: D. C. Heath, 1915), p. 421–2.

This general immunity from attack granted only to medical and religious personnel had its beginning in 1190. Before this time to be plundered and killed was the usual lot of the wounded on the field of battle. At the siege of Acre, during the Third Crusade, the order of Teutonic Knights was founded to tend the wounded. For some centuries after this the task of caring for the wounded was left to private and ecclesiastical benevolence. Then, in the seventeenth century, countries began to send a small number of surgeons and chaplains and a few field hospital units along with their armies.

The distinctive international sign of humanitarian and noncombatant service in time of war is now a red cross on a white background, although Turkey uses a red crescent and Iran a lion and red sun. This emblem was adopted in 1864 as a compliment to Switzerland for taking the lead in calling the first conference of 12 countries in that year on medical services in the armed forces. The conference article reminded the Moslem countries that the adoption of this sign had no religious significance:

> As a compliment to Switzerland, the heraldic emblem of the red cross on a white ground, formed by reversing the federal colours, is retained as the emblem and distinctive sign of the medical services of armies.[12]

The Medical Corps of the American armed forces as well as those of other countries display the red cross emblem conspicuously at all times.

The Willing Service of I–A–O Men

Class I–A–O objectors apparently fitted well into the units to which they were assigned during World War II. In fact upon inquiry the Surgeon General of the Army said that any question of their service as such had never been brought to his attention. The commandant of a large Army medical center stated that although hundreds of these men were received in his training center "only those who refused to do anything were brought to my attention." He said that he would judge that there were not over 10 in that category during a period of almost three years.

Conscientious Objectors in the Navy

Much reference has been made to the War Department and the Army as regards the assignment of conscientious objectors to noncombatant service, but thus far nothing has been said about the Navy

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[12] Spaight, op cit., p. 454.

Department in this connection. The Navy, however, did not figure in such assignments until February 1943. Prior to that month this branch of the armed forces placed no calls for inductees upon the Selective Service System. Neither the Navy nor the Army accepted an avowed conscientious objector of any kind for voluntary enlistment. They only received this type of personnel through induction.

Furthermore, the Navy generally viewed as problematical the acceptance of Class I–A–O inductees for the reason that in time of battle all of the men serving on a ship had special assignments for combatant duty. Even members of the medical corps were assigned to ammunition stations when not actually engaged at dressing stations. Nevertheless some I–A–O men were accepted for assignment to shore bases, construction work, and medical duties. The total number of conscientious objectors in the Navy was very small, however, although the quality of their service according to Navy informants did not differ from that of other personnel assigned to similar duties.

The Discharge of Noncombatant Personnel

When it came to the matter of discharge from the armed forces, the Class I–O–A men received exactly the same consideration as others who had served. No provisions were made either by the War or the Navy Department for their being handled in any different manner. In addition, there were no provisions made, in connection with their separation papers, for special notation of the fact that they were conscientious objectors.

High Honors for Some Noncombatants

It is known that at least one conscientious objector received a Congressional Medal of Honor and the American Legion in his native city made him a life member. It is said that the members of his infantry division on Okinawa regarded him as their most courageous comrade, who stayed alone on a high and bitterly contested escarpment from which his companions had been driven. At various times during his service he was able to remove from the battlefield a total of 75 wounded men who without proper medical attention faced almost certain death.

Another case just as outstanding was an objector who claimed objection to any armed service and was assigned to civilian work. Later he requested induction for noncombatant duty with the Army and a month following that he applied for combatant service. Before the end of the war he had been awarded the Purple Heart, Croix de Guerre, and Good Conduct decorations.

Digest

Thus the objector whose conscience was opposed only to combatant duty in the armed forces made his contribution to the American effort during World War II. His belief would not permit him to cooperate in the degree of accepting combatant training and service like the vast majority of inducted Selective Service registrants, but his record otherwise was such that he became known as the "conscientious cooperator."

Conscientious objectors who performed noncombatant duty totaled some 25,000 over the 6½ years of the System's operation. Eventually some of them through rationalization of conscience and interest in the security of the United States applied for combatant service in the Army. On the other hand a few sought release to do work of national importance. In all three instances they were, of course, abiding by section 5 (g) of the Selective Training and Service Act of 1940, as amended, wherein were contained the provisions for conscientious objection.

Most objectors of this type performed noncombatant duty with the Army. They were assigned either to a medical training center or a medical unit or detachment which branch of the service was the freest from bearing arms and was protected in warfare as such by the international agreements of the Geneva Conference. This type of noncombatant duty was among those defined by the President in accordance with the 1940 law. Since the armed forces needed Medical Corps staff and the conscientious objector was interested in saving not destroying human life, his noncombatant duties were mutually agreeable and his service thereby of great value during the battle activities of World War II.

VII

THE OBJECTOR WHO DID WORK OF NATIONAL IMPORTANCE

As already indicated, conscientious objectors whose beliefs would not permit them to serve in the armed forces (Class IV–E registrants) were less numerous during World War II than those who felt that they could perform noncombatant duty with the Army or Navy (Class I–A–O men). Nevertheless registrants opposed to any kind of service with military or naval organizations constituted a major problem for Selective Service even though their numbers were small. The basic law and the regulations of the System, in accordance with the general attitude of the United States resulting from long familiarity with the backgrounds and problems of objection, provided that such individuals during the national emergency of 1940–47 must serve in work of national importance under civilian direction. The purpose of this chapter is to detail the manner in which the man liable for duty but averse to induction into the armed forces even for noncombatant service, was registered and classified IV–E and then assigned to civilian work.

Conscientious Objectors in Work of National Importance

The best available figures indicate that from the beginning of the Selective Service program in 1940 a total of 11,887 Class IV–E registrants served as assignees to work of national importance in the Civilian Public Service Camps of the country. They did not "conscientiously cooperate" as did the Class I–A–O men by accepting combatant service but they did give limited cooperation of another type. Additionally it was reported by the Department of Justice that 1,624 men were convicted from October 16, 1940 to June 30, 1946, as failing to report for such work. This made a total of 13,511 individuals classified by the local boards of the System as objectors to military or naval service and given valid and final assignment orders for civilian work. In comparison with the men serving in the armed forces during the war, this was a ratio of slightly less than one to 1,000.

The Problem of the Complete Objector

The 1,624 convicted persons mentioned above were opposed to both noncombatant duty and civilian work—to any and all kinds of service. Thus their objection was absolute or complete and they were entirely uncooperative, which constituted a violation under the Selective Training and Service Act of 1940, as amended. In addition to the enforcement problem created by this noncooperation, it was also problematical for the reason that matters of personal conscience and religion were difficult to determine. It also presented difficulties in that some registrants asserting a "tender conscience" toward war, were touchy to the point of contentiousness and a peculiar kind of belligerency. Fortunately, such registrants constituted but a minority of this very small group of complete objectors. Further treatment of them will appear later.

Registration and the Preparation of Questionnaires

In the operations of the System the specific provisions for conscientious objection which were contained in section 5 (g) of the Selective Service Act of 1940 were integrated with the other procurement provisions of the law. That is, the conscientious objector was handled like any other registrant, except to the extent provided in section 5 (g). In the matter of registration, for instance, no exceptions or special arrangements were made for objectors. The registrant's answers to certain questions were written by a registrar on the front of a Registration Card (DSS Form 1). On the reverse side of the form some characteristics of the man's appearance were also noted by the registrar whereupon the registrant read and signed the card or made his mark. The registrar then made out a Registration Certificate (DSS Form 2) attesting to the fact of registration and gave it to the individual. Neither of these cards provided for the recording of conscientious objection. Some registrants wrote on one or both of the forms that they were objectors. This served no practical purpose for Selective Service but the System made no particular objection to its being done.[1]

It has been mentioned that every registrant was required to fill out a Selective Service Questionnaire (DSS Form 40) as the basis for classification by his local board. "Series X" of this form provided special coverage for conscientious objection as has been seen.

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[1] There were seven registrations under the act. They were: First registration, October 16, 1940, age group 21 to 35 years inclusive; second registration, July 1, 1941, those having become 21 years of age; third registration, February 16, 1942, age group 20 to 44 years inclusive; fourth registration, April 27, 1942, age group 45 to 64 years inclusive; fifth registration, June 30, 1942, age group 18 to 20 years inclusive; sixth registration, December 11, 1942 and continuing, age 18; seventh registration, special registration of male citizens abroad, age group 18 to 44 years inclusive, which pertained particularly to the Virgin Islands.

Special Form for Conscientious Objector (DSS Form 47)

The signing of series X by the registrant constituted a request that the local board furnished him with a Special Form for Conscientious Objector (DSS Form 47) to use in substantiating his claim of exemption either from combatant service or from all military or naval duty. The Form 47 was to be returned to the local board within 5 days of its receipt by the registrant. It was provided for by section 621.3 of the general regulations which read as follows:

> 621.3. *Special form for conscientious objector.*—A registrant who claims to be a conscientious objector shall offer information in substantiation of his claim on a Special Form for Conscientious Objectors (Form 47) which, when filed, shall become a part of his Selective Service Questionnaire (Form 40). The local board, upon request, shall furnish to any person claiming to be a conscientious objector a copy of such Special Form for Conscientious Objector (Form 47).[2]

Form 47 was an extremely important document in cases of conscientious objection. It became the basis for Selective Service classification by the local board if the man was not routinely exempted or deferred from training and service in Class IV, III, or II during the regular classification and selection process for all registrants. The objector was not limited to this form, however, in presenting claimant information. Not only was it specifically stated that extra sheets of paper might be attached to Form 47 if more space was needed, but registrants in general were encouraged to file any additional information which they deemed pertinent.

The general heading of Form 47 showed the registrant's order number, his name and address, the stamp of his local board, and the date upon which it must be returned to the board. The following stipulations were then made:

> INSTRUCTIONS
>
> A registrant who claims to be a conscientious objector shall offer information in substantiation of his claim on this special form, which when filed shall become a part of his Questionnaire.
>
> The questions in series II through V in this form are intended to obtain evidence of the genuineness of the claim made in series I, and the answers given by the registrant shall be for the information only of the officials duly authorized under the regulations to examine them.
>
> In the case of any registrant who claims to be a conscientious objector, the local board shall proceed in the ordinary course to consider all grounds of deferment before passing upon his claim to be a conscientious objector. The procedure for appeal from a decision of the local board on a claim for conscientious objection is provided for in the Selective Service Regulations.

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[2] *Selective Service Regulations,* 1st ed., vol. 3, Classification and Selection, (Washington: 1940), sec. XXV, par. 363, effective October 4, 1940; par. 363 was amended later by Amendment No. 100 (6 F. R. 4252), effective August 31, 1941; it became sec. 621.3, its final form, when the Selective Service Regulations, 2d edition (Washington: 1942), were issued February 1, 1942.

> Failure by the registrant to file this special form on or before the date indicated above may be regarded as a waiver by the registrant of his claim as a conscientious objector: *Provided, however,* That the local board, in its discretion, and for good cause shown by the registrant, may grant a reasonable extension of time for filing this special form.

There followed five parts, entitled "Series I–V," each with lined spaces for the entry of information.

Form 47 Requirement for Claim to be Specific

In series I, claim for exemption, of Form 47, the registrant was offered two statements, A and B. He was instructed to sign either but not both. By signing statement A, he indicated that he was a conscientious cooperator, willing to serve in a noncombatant capacity in the armed forces. But by signing statement B, he showed that he was willing only to be assigned to work of national importance under civilian direction in lieu of induction into the land or naval forces. Statement A read as follows:

> A. I am, by reason of my religious training and belief, conscientiously opposed to participation in war in any form.
>
> I, therefore, claim exemption from combatant training and service. I understand that if my claim is sustained I will be inducted into the land or naval forces, but will be assigned to noncombatant service as defined by the President.

Statement B was:

> B. I am, by reason of my religious training and belief, conscientiously opposed to participation in war in any form and I am further conscientiously opposed to participation in noncombatant service in the land or naval forces. I, therefore, claim exemption from combatant training and service and if my claim is sustained, I believe that in lieu of induction into the land or naval forces, I should, because of any conscientious objection to noncombatant service in the land or naval forces, be assigned to work of national importance under civilian direction.

Explanation of Beliefs on Form 47

Series II, religious training and beliefs, was at once the most personal and important part of the Form 47. In it the registrant was asked to explain the nature and source of his belief. He was asked to name the person on whom he relied most for religious guidance. Then a blank was provided for a brief discussion of his belief regarding the use of force. Finally, he was offered an opportunity to set down instances of personal action and behavior or public expression which he thought demonstrated the sincerity of his claim.

Reporting of Background, Organizations and References

Series III, general background, of Form 47 provided space for detailed information regarding the man's education, occupations, residences, and parentage.

Series IV, participation in organizations, afforded opportunity for listing the names of organizations in whose activities the individual had participated. First, he was asked to tell of any membership in military organizations or establishments. Then detailed information was requested regarding his religious affiliation. Finally, there was a request for information regarding any organizational membership, not religious or military.

Series V, references, provided space for identifying persons who could supply information regarding the sincerity of the man's professed convictions regarding war.

Following this information, the form provided space for signature and an oath or affirmation witness.[3]

Eligibility of Objectors for Routine Deferment

It has been pointed out that in the classification of a registrant, consideration was not given to a claim on conscientious objection until after determination had been made that he should not be exempt or deferred from training and service in the ordinary routine of classification and selection. This was accomplished by the provisions of section 623.21 (a) and (b) of the general regulations which appeared under the heading "Order in which classes are to be considered." By way of illustration, this read as follows in its finally amended form, December 16, 1946:

> 623.21. *Consideration of classes.*—(*a*) Upon undertaking to classify any registrant, unless grounds are established to place the registrant in Class IV–E under the provisions of paragraphs (b), (c), (d), (e), or (f) of section 622.51 or in Class IV–F under the provisions of paragraph (1) of section 622.61, consideration shall be given to the following classes in the order listed and the registrant shall be classified in the first class for which grounds are established:
>
> Class I–C (in military forces or separated therefrom).
> Class I–G (with cobelligerent forces or separated therefrom, separated merchant marines, internes, etc.).
> Class IV–D (ministers and students preparing for the ministry).
> Class IV–B (government officials exempt by law).
> Class IV–A (men deferred by reason of age).
> Class III–A (registrants with one or more children).
> Class II–C (men deferred because of agricultural occupations).
> Class II–A (men in essential activities).
> Class III–D (men deferred by reason of extreme hardship to dependents).
> Class IV–C (aliens not acceptable for service).
> Class IV–F (moral) (men morally disqualified).[4]

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[3] The last used edition of the Special Form for Conscientious Objectors (DSS Form 47) was as revised November 25, 1942. It superseded an earlier edition, prescribed April 26, 1941. The two editions differed only in minor details. The instructions were modified for better expression and the statements in series I were made more comprehensive. The definition of noncombatant service on page 1 and the statements regarding the oath on page 4 did not appear in the earlier edition. Appendix F, Item Nos. 86 and 87.

[4] Parenthetical class definitions supplied.

(*b*) If a registrant who is liable for service is not classified in one of the classes set forth in paragraph (a) above, he shall be classified in Class I–A; provided, if he claims to be a conscientious objector, the claim shall be determined; and, if he is found to be a conscientious objector to combatant military service only, he shall be classified in Class I–A–O or, if he is found to be a conscientious objector to both combatant and noncombatant military service, he shall be classified in class IV–E.[5]

Class IV–E

Section 622.51 of the general regulations, to which paragraph (a) of the preceding quotation refers, governed classification in Class IV–E, which was the classification provided for registrants opposed both to combatant and noncombatant service with the armed forces:

622.51. *Class IV–E.*—Conscientious objector available for, assigned to, or released from work of national importance. (*a*) In Class IV–E shall be placed every registrant who would have been classified in Class I–A but for the fact that he has been found, by reason of religious training and belief, to be conscientiously opposed to both combatant and noncombatant military service.

(*b*) Upon being advised by the Director of Selective Service that a registrant who was inducted into the land or naval forces for military service will be discharged because of conscientious objections which make him unadaptable to military service, the local board shall change such registrant's classification and place him in Class IV–E. The Director of Selective Service shall assign such registrant to work of national importance under civilian direction.

(*c*) A registrant placed in Class IV–E who is assigned to and reports for work of national importance under civilian direction shall be retained in Class IV–E unless his reclassification into some other class is specifically authorized by the Director of Selective Service.

(*d*) A registrant placed in Class IV–E who has been separated from work of national importance under civilian direction by the issuance of a certificate of release shall be retained in Class IV–E, unless his reclassification into some other class is specifically authorized by the Director. (Every such registrant shall be identified with the abbreviation "Disc." in the manner provided in section 622.86–2, and shall not be available for further service.)

(*e*) A registrant placed in Class IV–E who has been separated by death from work of national importance under civilian direction shall be retained in Class

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[5] *Selective Service Regulations,* 1st edition, op. cit., sec. XVIII, par. 330 (a), effective October 4, 1940; amended by Amendment No. 88 (6 F. R. 4249), effective August 31, 1941; it became sec. 623.21 when the Selective Service Regulations, 2d edition, were issued February 1, 1942. Sec. 623.21 was amended by Amendment No. 9 (7 F. R. 653), effective February 1, 1942; by Amendment No. 54 (7 F. R. 4154), effective May 29, 1942; by Amendment No. 98 (7 F. R. 9682), effective November 20, 1942; by Amendment No. 114 (8 F. R. 77), effective January 1, 1943; by Amendment No. 134 (8 F. R. 2833), effective November 6, 1943; by Amendment No. 142 (8 F. R. 4755), effective April 12, 1943; by Amendment No. 192 (8 F. R. 16720), effective December 11, 1943; by Amendment No. 197 (9 F. R. 437–439), effective January 10, 1944; by Amendment No. 213 (9 F. R. 1935), effective February 17, 1944; by Amendment No. 225 (9 F. R. 5202), effective May 15, 1944; by Amendment No. 268 (9 F. R. 14420), effective December 7, 1944; by Amendment No. 305 (10 F. R. 5900), effective May 23, 1945; by Amendment No. 322 (10 F. R. 8541), effective July 6, 1945; by Amendment No. 338 (10 F. R. 11287), effective August 31, 1945; by Amendment No. 359 (10 F. R. 14178), effective November 15, 1945; by Amendment No. 377 (11 F. R. 1770), effective February 15, 1946; by Amendment No. 388 (11 F. R. 8146), effective July 29, 1946; and in its final form by Amendment No. 410 (11 F. R. 14461), effective December 16, 1946.

IV–E. (Every such registrant shall be identified with the abbreviation "Dec." in the manner provided in section 622.86.)

(*f*) A registrant who has been separated from work of national importance other than by issuance of a certificate of release or by death shall be retained in Class IV–E or shall be classified and retained in Class IV–E, unless his reclassification into some other class is specifically authorized by the Director. (Every such registrant shall be identified with the abbreviation "Sep." in the manner provided in section 622.86–3 and shall not be available for further service if he has served for a period of at least 6 months.)[6]

The additional sections referred to specifically in section 622.51 read as follows:

622.86. *Identifying registrants who are deceased.*—Whenever a registrant dies, the local board will enter the abbreviation "Dec." on all of its records with reference to such registrant.[7]

622.86–2. *Identification of Class IV–E registrant issued a certificate of release.*—A registrant who is separated from work of national importance under civilian direction by the issuance of a certificate of release and who is retained in Class IV–E shall be identified in all records by following his classification with the abbreviation "Disc."[8]

622.86–3. *Identification of Class IV–E registrant separated from work of national importance other than by certificate of release or death.*—A registrant who is separated from work of national importance under civilian direction other than by issuance of a certificate of release or by death, shall be identified in all records by following his classification with the abbreviation "Sep."[9]

Immediately after placing a registrant in Class IV–E or any other class, the local board prepared and mailed to him a Notice of Classification (DSS Form 57).

General Provisions for Appeal

For the registrant in Class IV–E, I–A–O or I–A, DSS Form 57 constituted also a notice or reminder of his right to appeal such classification. The conscientious objector, like any other registrant, could appeal his classification to a board of appeal. This was done by going to the local board and signing the "Appeal to the board of appeal" provision on the last page of the Selective Service Questionnaire (DSS

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[6] Ibid., sec. XXV, par. 365, effective October 4, 1940; par. 365, was amended by Amendment No. 72 (6 F. R. 2908), effective June 13, 1941; by Amendment No. 102 (6 F. R. 4252) effective August 31, 1941; it became sec. 622.51 when the Selective Service regulations, second edition, were issued February 1, 1942: sec. 622.51 was amended by Amendment No. 53 (7 F. R. 4154), effective May 29, 1942; by Amendment No. 58 (7 F. R. 4271), effective June 3, 1942; by Amendment No. 73 (7 F. R. 6517), effective August 18, 1942; by Amendment No. 262 (9 F. R. 13197), effective November 4, 1944; by Amendment No. 306 (10 F. R. 5900), effective May 23, 1945; and in its final form by Amendment No. 400 (11 F. R. 10425), effective September 17, 1946.

[7] Ibid. This section was added by Amendment No. 221 (9 F. R. 4385), effective April 21, 1944, and placed in its final form by Amendment No. 267 (9 F. R. 14419), effective December 7, 1944.

[8] Ibid. This section was added by Amendment No. 262 (9 F. R. 13197), effective November 4, 1944, and placed in its final form by Amendment No. 440 (11 F. R. 10425), effective September 17, 1946.

[9] Ibid. This section was added by Amendment No. 400 (11 F. R. 10425), effective September 17, 1946.

Form 40) or by writing a simple note or letter to the local board stating the desire to appeal. No specific form was required for making an appeal. It was not even necessary to give a reason for the appeal or to advance arguments regarding the matter, although this was permissible. Nor was there need to specify what classification was thought to be more equitable.

Any person claiming to be a dependent of a registrant or any person having filed written evidence of the occupational status of a registrant, might appeal. But any such appeal, including that taken by the registrant himself, was required to be made within 10 days after the date the local board mailed the Notice of Classification (DSS Form 57). An extension of this appeal time might be granted, however, for sufficient reasons under most circumstances.

The appeal agent of a local board had the right of taking an appeal in the case of any registrant. The Director of Selective Service and the State Directors of Selective Service also had very broad appeal rights with respect to individual cases.

Special Consideration for C. O.'s on Appeal

The conscientious objector provisions of section 5 (g) in the Selective Training and Service Act of 1940, which established a special appeal procedure for Class IV–E, I–A–O or I–A objectors, were implemented by section 627.25 of the general regulations which, in 1944 and later, read as follows:

> 627.25. *Special provisions where appeal involves claim that registrant is a conscientious objector.*—(*a*) If an appeal involves the question of whether or not a registrant is entitled to be sustained in his claim that he is a conscientious objector, the board of appeal shall take the following action:
>
> (1) First determine whether the registrant should be classified in one of the classes set forth in section 623.21 in the order set forth except Class IV–F for physical or mental disability and, if it so determines, it shall place the registrant in such class; or
>
> (2) If it determines that the registrant should not be classified in one of the classes set forth in section 623.21 and the registrant has claimed classification in Class IV–E, determine whether to place the registrant in such class, and if it so determines, it shall place the registrant in Class IV–E; or
>
> (3) If it determines that the registrant should not be classified in one of the classes set forth in section 623.21 and the registrant has not claimed classification in Class IV–E but has claimed classification in Class I–A–O, determine whether to place the registrant in such class and, if it so determines, it shall place the registrant in Class I–A–O; or
>
> (4) If it determines not to place such registrant in one of the classes set forth in section 623.21 or in Class IV–E or in Class I–A–O under the circumstances set forth in subparagraphs (1), (2), or (3) above, it shall transmit the entire file to the United States Attorney for the judicial district in which the office of the board of appeal is located for the purpose of securing an advisory recommendation from the Department of Justice.

No registrant's file shall be forwarded to the United States Attorney by any board of appeal, and any file so forwarded shall be returned, unless in the "Minutes of other actions" on the Selective Service Questionnaire (Form 40) the record shows and the letter of transmittal states that the board of appeal reviewed the file and determined that the registrant should not be classified in one of the classes set forth in section 623.21 (except Class IV–F for physical or mental disability) or in Class IV–E or Class I–A–O under the circumstances set forth in subparagraphs (1), (2), or (3) above.

(*b*) The Department of Justice shall thereupon make an inquiry and hold a hearing of the character and good faith of the conscientious objections of the registrant. The registrant shall be notified of the time and place of such hearing and shall have an opportunity to be heard. If the objections of the registrant are found to be sustained, the Department of Justice shall recommend to the board of appeal (1) that if the registrant is inducted into the land or naval forces, he shall be assigned to noncombatant service, or (2) that if the registrant is found to be conscientiously opposed to participation in such noncombatant service, he shall be assigned to work of national importance under civilian direction. If the Department of Justice finds that the objections of the registrant are not sustained, it shall recommend to the board of appeal that such objections be not sustained.

(*c*) Upon receipt of the report of the Department of Justice, the board of appeal shall determine the classification of the registrant, and in its determination it shall give consideration to, but it shall not be bound to follow, the recommendation of the Department of Justice. The board of appeal shall place in the Cover Sheet (Form 53) of the registrant both the letter containing the recommendation of the Department of Justice and the report of the hearing officer of the Department of Justice.[10]

When the regulations were first promulgated it was provided that if a board of appeal classified a man claiming to be a conscientious objector in a deferred or exempt classification, Class IV, III or II, the file could be returned to the local board of origin without forwarding the case to the United States attorney for a recommendation on the objection claim. Otherwise, the board of appeal would refer the claim to the Department of Justice for advisory recommendation.

On December 15, 1942, it was additionally provided that in a case where the local board had classified the registrant in IV–E or in a case where the registrant had claimed objection to combatant service only and the local board had classified him I–A–O, the board of appeal might affirm the classification of the local board without referring the case to the Department of Justice. Still later, on October 27, 1943, it was provided that if the registrant claimed classification in Class IV–E or I–A–O, the board of appeal might classify the registrant in accordance with his claim without forwarding the case to the Department of Justice. The decision to make the changes was reached through an administrative agreement between National Headquarters of Selective Service and the Department of Justice. It relieved the Department of considerable unnecessary work and also expedited the operation of the System. As it was, more than 12,000 of what may be termed the more questionable cases of conscientious objection, were investigated by the Federal Bureau of Investigation of the Department of Justice.

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[10] Ibid., sec. XXVII, par. 375, effective October 4, 1940; amended by Amendment No. 71 (6 F. R. 2835), effective June 20, 1941; by Amendment No. 105 (6 F. R. 4253), effective August 31, 1941; it became section 627.25 when the Selective Service regulations, second edition, were issued February 1, 1942: sec. 627.25 was amended by Amendment No. 55 (7 F. R. 4155), effective May 29, 1942; by Amendment No. 104 (7 F. R. 10520), effective December 15, 1942; by Amendment No. 183 (8 F. R. 14657), effective October 27, 1943; by Amendment No. 194 (8 F. R. 16720), effective December 11, 1943; and in its final form by Amendment No. 237 (9 F. R. 7048), effective June 23, 1944.

Cases Handled by the Department of Justice

However, if the board of appeal did not place the objector making the appeal in an exempt or deferred class (IV, III, or II), or classify him according to his claim, the procedure was as explained by Mr. Joseph C. Duggan, who handled much of this work for the Department of Justice from the beginning of Selective Service to June 1945:

> If it determines not to classify the registrant in any of the deferred classes, and is of the opinion that the registrant is not entitled to a conscientious objector classification (or desires an advisory opinion before considering the conscientious objector claim), the board of appeal may not affirm the local board classification in Class I–A without referring the case to the Department of Justice for investigation and hearing on the conscientious objector claim.
>
> Reference to the Department of Justice pursuant to section 5 (g) of the act and section 627.25 (a) (4) of the regulations is effected by transmitting the file to the United States Attorney for the Federal judicial district in which the board of appeal is located. The United States Attorney thereupon examines the file to determine whether the Department of Justice has jurisdiction and, if he so determines, the file is transmitted to the nearest field office of the Federal Bureau of Investigation. The investigation in this type of case is an inquiry into the character of the registrant, and is undertaken to determine whether he has the religious training and belief required by the statute, whether he is sincere, and whether his daily conduct is consistent with his professed claim for exemption as a conscientious objector.
>
> Upon completion of such inquiry, the registrant's file and the investigative report are then transmitted to a Special Assistant to the Attorney General designated as hearing officer under section 5 (g) of the Selective Service Act.
>
> The hearing officer thereupon issues a "notice of hearing" to the registrant and furnishes him with a copy of the instructions governing the conduct of the hearing. The notice of hearing allows the registrant 10 days in which to appear, and informs him that he may bring any witnesses or documentary evidence to the hearing in order to substantiate his claim. The hearing officer has no power of subpena and the appearance of the registrant is entirely voluntary. While no exact counterpart of the hearing officer is known to the System, he is a quasi-judicial officer who acts in a capacity analagous to that of a trial examiner.
>
> After concluding the hearing, the hearing officer prepares a report in triplicate in which he makes a recommendation to the Department of Justice. This report containing findings and conclusions of law, together with his recommendations relative to the registrant's classification is transmitted to the office of the Assistant to the Attorney General in the Department at Washington for examination and review.

It is possible that the report may be returned to the hearing officer with a memorandum of disagreement from the Department. If, however, the Department concurs in the findings of the hearing officer, it proceeds to make a recommendation to the Board of Appeal from which the case originated. This recommendation is generally made by adopting, approving, and concurring in the advisory recommendation of the hearing officer to the Department. Upon return of the file, together with a recommendation to the board of appeal, the administrative function of the Department in conscientious objector cases is complete.[11]

Appeal to the President

Still another opportunity, an appeal to the President, was offered to the Class IV–E, I–A–O or I–A registrant who had claimed the right accorded a conscientious objector, but whose claim had not been sustained either by the Selective Service local board or by the System's board of appeal. This was the usual appeal to the President and was the same right accorded any other registrant. However, such right was available only if one or more members of the board of appeal dissented from the classification given. An appeal to the President could be made by the registrant, any person who claimed to be a dependent of his or any person who had filed written information as to his occupational status, at any time within 10 days after the mailing by the local board of the Notice of Classification (DSS Form 57) informing the registrant that the local board classification had been affirmed or changed by the board of appeal. The local board under certain circumstances might permit a person such an appeal even though the 10-day period had elapsed.

An appeal to the President might also be made by a State Director of Selective Service or by the Director of Selective Service. Such an appeal by a State Director or by the Director was usually taken after special or unofficial requests for action were received from a registrant or from an organization representing the registrant, for instance, the National Service Board for Religious Objectors. Ordinarily an appeal to the President which originated with a director of the System was taken for the purpose of making certain that there was uniform action throughout the State or the Nation. In addition, it was taken only when such action appeared necessary in the national interest or to avoid an injustice. Regarding Presidential appeals, mention should be made here that the President delegated this responsibility to the Director of Selective Service who set up a Presidential Appeal Board at National Headquarters to act as the classifying agency in this regard.

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[11] Joseph C. Duggan, *The Legislative and Statutory Development of the Federal Concept of Conscription for Military Service* (Washington: Catholic University of America Press, 1946), pp. 113–15.

Classification Always Subject to Change

No Selective Service classification was permanent. This held for all registrants including conscientious objectors. The regulations stated that each classified man and each person who had filed a request for the registrant's deferment, should report in writing any fact that might result in the registrant being placed in a different class. The local board was to keep itself currently informed of the status of classified men, and they might be questioned or given physical or mental examinations by the board or upon the order of the board. Employers, Government agencies, and individuals might be required to furnish such information.

It was provided that the local board might reopen and consider anew the classification of a registrant upon his written request or that of certain other parties, if there were written information presenting facts not considered when he was classified previously but which might now justify a classification change. Such action could be taken by the board after a man had been ordered to report for service only if it first specifically found there had been a change in the registrant's status resulting from circumstances over which he had no control.

This prohibition did not apply to a State Director of Selective Service nor to the Director of Selective Service, however. The board was required to reopen and consider anew the classification of a registrant upon the written request of a State Director or the Director. Upon the receipt of such a request it was to cancel immediately any outstanding order to report, except that after a registrant had left the local board for delivery pursuant to an Order to Report for Work of National Importance (DSS Form 50) the board was to reopen and consider anew the classification of the registrant only upon written request by the Director to that specific effect.[12]

The Physical Examination of Objectors

Conscientious objectors to all military or naval service (Class IV–E men) were given the same type of physical examination as any other registrant. This was done chiefly in the interest of uniform physical standards. The pertinent provisions of the general regulations in such regard are found in section 629.2 (c) and (d) and in 1944 read as follows:

> (c) The local board shall also mail an Order to Report—Preinduction Physical Examination (Form 215) to each registrant classified in Class IV–E when his order number is reached (without regard to whether he has requested or will request a personal appearance before the local board and without regard to whether an appeal has been or will be taken) in the process of ordering Class

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[12] *Selective Service Regulations,* op. cit., pt. 626.

I–A and Class I–A–O registrants to report for preinduction physical examination under the provisions of paragraph (b) of this section.[13]

During the early operation of Selective Service the local board secured through local physicians an examination for each assignee to work of national importance. In spite of this, some assignees arrived at Civilian Public Service Camps with defects which disqualified them for work. It therefore became necessary, after the assignee arrived in camp, to order him before a medical advisory board for reexamination. If this examination showed him disqualified for service, he was released from the camp. Such procedure was expensive for the Government and also dislocated the assignee in his civilian pursuits. In addition, there still remained in some camps numbers of men who apparently did not qualify physically. As a result, National Headquarters eventually sent a medical officer into each Civilian Public Service Camp for the purpose of giving an on-the-ground examination to those men who appeared to have physical disabilities. Further discharges were then made upon the recommendation of this officer.

In previously discussing section 622.51 (a) of the general regulations on the classification of conscientious objectors in IV–E it was pointed out that the original Selective Service provisions for such action permitted the man to be placed in Class IV–E after physical examination by the local board. This local examination later came to be commonly known as a "screening examination" and it was given to all registrants alike. Upon classification, after this physical examination, the Class I–A and I–A–O registrants were to be forwarded to an induction station for examination and admission to the armed forces and Class IV–E registrants were to be assigned to work of national importance. No specific provision was made at that time for a second physical examination for Class IV–E registrants comparable to that given to Class I–A and I–A–O registrants at the induction station. However, when the second edition of the regulations was promulgated on February 1, 1942, it contained part 651, determination of acceptability of persons for work of national importance under civilian direction, and provided for a supplementary or second examination. Then on December 5, 1943, any registrant, including the objector, was allowed by Public Law 197 (78th Cong., 1st Sess.) to request and receive a preinduction physical examination when his induction or assignment seemed imminent.

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[13] Ibid. Sec. 629.2 was originally issued as part of the second edition, first printing; deleted by Amendment No. 45 (7 F. R. 2722), effective April 8, 1942; added by Amendment No. 200 (9 F. R. 400—442), effective January 10, 1944; amended by Amendment No. 209 (9 F. R. 1415), effective February 2, 1944; by Amendment No. 273 (10 F. R. 289), effective January 5, 1945; by Amendment No. 285 (10 F. R. 2172), effective February 22, 1945; by Amendment No. 368 (10 F. R. 15337), effective December 21, 1945; and in its final form by Amendment No. 374 (11 F. R. 739), effective January 17, 1946.

A Certificate of Fitness for the Objector

After passing a preinduction examination, the objector received a Certificate of Fitness (DSS Form 218) indicating his acceptability for service. The terminology used on this certificate referred to military or naval service. The use of such terminology was a practical guarantee to the man seeking civilian duty that he had received the same type of physical examination as that given to registrants considered for induction into the armed forces. The local board was required to mail the original of this certificate to the objector immediately after his physical examination whether he was in Class IV–E I–A–O or I–A.

Army Discharge for Assignment to Civilian Work

The provisions of section 622.51 (b), quoted above, were promulgated as a result of a special agreement made May 17, 1944, between Undersecretary of War Robert Patterson and the Director of Selective Service. This agreement provided that War Department general prisoners who claimed to be conscientious objectors and who had been convicted only of offenses involving a refusal to participate in military service, including unauthorized absence and desertion, might make an application in writing for discharge other than honorable from the Army (blue certificate) and for assignment to work of national importance under civilian direction.

Upon transmittal of the soldier's request to the National Headquarters of Selective Service, his local board file and any other pertinent available material were procured and examined. After studying the file, the Director recommended approval or disapproval of the request to the Adjutant General of the War Department. If, upon receiving a recommendation of approval, the War Department decided to discharge the soldier, the Director when notified to this effect by the Adjutant General, took steps to have the man placed in Class IV–E by his local board. The registrant was then processed for assignment to a Civilian Public Service Camp in much the same manner as any other Class IV–E registrant, except that he was ordered to report for work of national importance through the local board nearest to the disciplinary barracks where he was in confinement. In addition, the War Department kept him in custody until the System completed arrangements for his reporting to camp and until he could be sent to camp immediately upon his release from the barracks.

Not many cases of this kind were referred to Selective Service by the War Department during the latter months of operation and, as far as is known, no soldier was released from the Army for the purpose of being assigned to work of national importance in a Civilian Public Service Camp except where he had been court martialed previously. Representations were made to the War Department that it would be advisable to consider the merits of men's claims of conscientious objection to any military or naval service, before all of the court martial proceedings had been completed. Although the War Department agreed to this in principle, no case was handled under such procedure.

Assignment of Parolees to Civilian Public Service Camps

Some Class IV–E men were assigned to work of national importance upon parole from a Federal institution after conviction for a violation of the Selective Training and Service Act of 1940, as amended. This was done pursuant to authority contained in the law itself and Executive Order No. 8641 (6 F. R. 563), dated January 18, 1941. The procedure followed by the Department of Justice, Bureau of Prisons, and Selective Service pursuant to this authority varied considerably from time to time. It involved a total of less than one hundred men, however. Further mention of it will be made subsequently.

Request for Routine Assignment

When the order number of a Class IV–E registrant, found qualified for civilian service, had been reached in the process of selecting Class I–A and I–A–O men for induction and the time in which he was entitled to request a personal appearance or to take an appeal had expired and his classification was not otherwise under consideration, the local board notified the Director of Selective Service that he was available for assignment to work of national importance under civilian direction. This was done by preparing four copies of a Conscientious Objector Report (DSS Form 48).[14] The original and two copies of this form, the original of the registrant's Report of Physical Examination and Induction (DSS Form 221) and the physical examination X-ray film were mailed to the State Director of Selective Service. The State Director retained one copy of the Conscientious Objector Report but transmitted the original and one copy along with the original of the Report of Physical Examination and Induction and the X-ray film to the Director of Selective Service.[15] The remaining copies of Forms 48 and 221 were retained in the registrant's Cover Sheet (DSS Form 53) at the local board.

Regular Assignment to Work of National Importance

Upon receipt of the Conscientious Objector Report, National Headquarters, with the advice and assistance of the agencies operating

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[14] Appendix F, Item Nos. 88, 89 and 90.

[15] For further details see pt. 652 of Selective Service Regulations, op. cit., in its entirety; also historical notes to first edition, and historical notes to second edition, packets A–L, covering Amendment Nos. 1–363.

Civilian Public Service Camps, decided where the Class IV–E registrant was to be assigned for work of national importance. The necessary instructions were then issued on Assignment to Work of National Importance (DSS Form 49).[16] This was forwarded to the State Director and he, in turn, mailed a copy to the local board. The date for reporting to the camp was specified on the form and it was planned that this information would reach the local board in sufficient time so that the registrant might be issued his Order to Report for Work of National Importance (DSS Form 50)[17] at least 10 days before reporting for travel. The registrant was sent directly to the camp specified and the local board was authorized to provide the transportation and the meal and lodging tickets necessary in this connection. The arrival of the man in camp and the work which he did will be discussed in the chapters which follow.

Abstract

In such fashion, then, Selective Service registrants whose consciences would not allow them to perform either combatant or noncombatant service in the armed forces of the United States during World War II, were processed through the local boards of the System for assignment to work of national importance under civilian direction. Their beliefs did not permit them to cooperate in the national emergency of 1940–47 to the extent of men who were inducted for combatant duty or objectors who accepted induction for noncombatant service. Nevertheless, their participation in civilian work met the requirements of the conscientious objector provisions (sec. 5 (g)) in the Selective Training and Service Act of 1940, as amended, and their contribution to the American effort in this capacity was generally useful and often exceptionally so.

The objectors who did work of national importance from 1940 to 1947 numbered almost 12,000. This amounted to a ratio of but one in 1,000 when compared to the total number of men serving in the armed forces during that period. Although the registrants in civilian work were but half as numerous as those accepting noncombatant duty and their approach to the problem of violating conscience was some different, they were nevertheless classified by Selective Service in the same manner as the noncombatant person or for that matter any other individual registered with the System. The only classification departure for this type of objector was that provided for appeal by the 1940 law.

The man whose faith caused him to accept only assignment to civilian work, registered and prepared his Selective Service Questionnaire (DSS Form 40) the same as any other registrant. Like the noncombatant person he then prepared a Special Form for Conscientious Objector (DSS Form 47) to substantiate his claim in detail. He was first considered for classification on the basis of the Form 40 without reference to his objection claim, just as was the noncombatant claimant, and if placed in Class IV, III, or II, as not available for training and service, no classification attention was given to his Form 47. If considered available, however, and his objection claim was found valid by the local board, the board placed him in Class IV–E, available for assignment to work of national importance, which was different from the Class I–A–O, available for assignment to noncombatant service in the armed forces, given to the other type of objector. In the event his claim was not substantiated by the board he was put in Class I–A–O or even I–A, available for combatant duty. When the registrant did not agree with his classification he could very easily and readily appeal it to his board of appeal. If that unit would not exempt or defer him, or honor his claim, it referred his case to the Department of Justice for investigation, hearing, and recommendation. After such action if the classification was still IV–E and the registrant did not accept assignment to civilian work he was a violator of the Selective Service Act.

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[16] Appendix F, Item Nos. 93 and 94.

[17] Appendix F, Item Nos. 95 and 96.

In preparation for a civilian work assignment, the Class IV–E man was given exactly the same physical examination as the Class I–A–O or I–A registrant and the results noted on his Report of Physical Examination and Induction (DSS Form 221). If he qualified for such assignment, he was issued a Certificate of Fitness (DSS Form 218). A Conscientious Objector Report (DSS Form 48) and his Form 221 were mailed from the local board through State Headquarters to National Headquarters in order that his actual assignment to a Civilian Public Service Camp could be made. National Headquarters did this in conjunction with the department of the Federal Government mainly concerned with the work of the particular camp. It then forwarded an Assignment to Work of National Importance (DSS Form 49) to the local board which in turn sent the IV–E registrant an Order to Report for Work of National Importance (DSS Form 50).

It is interesting to note that some objectors in Civilian Public Service Camps eventually applied for induction for combatant or noncombatant service in the armed forces. From time to time also some who went to prison rather than serve in the camps, later requested parole and assignment to civilian work. In both instances the voluntary action of the registrant significantly increased his contribution to the general effort of his country during a period of great emergency.

VIII

GENERAL PRINCIPLES AND POLICIES OF OBJECTOR CLASSIFICATION

The classification of conscientious objectors by Selective Service during its operation of 1940–47 has been discussed specifically for registrants in Class I–A–O, available for noncombatant service in the armed forces, and in Class IV–E, available for work of national importance under civilian direction. It is also of significance to discuss the main precepts of the System which formed the basis for such classification and selection. Likewise important are the relationships of these fundamentals to the Selective Service Regulations; the Selective Training and Service Act of 1940, as amended; the American history and the church backgrounds of conscientious objection; and the underlying philosophy of the System—service by all liable men so selected, but such duty within the dictates of conscience.

Two Proposals for Classifying Objectors

As already pointed out two ideas, or principles, regarding the Selective Service classification of conscientious objector registrants were in conflict when the conference committee of the United States Congress in 1940 came to harmonize the differences between the Senate and the House versions of the Burke-Wadsworth conscription bill. Both legislative bodies had provided in their versions of the bill that special hearings be held in connection with the classification of each person claiming to be an objector. The Senate following largely the request of certain church groups, had provided that such hearings be conducted by the Department of Justice; for this the House had substituted hearings by the local boards of the System.

Experience has shown the value of the compromise finally agreed upon whereby the local board first classified the objector the same as any other registrant without the requirement for a hearing. Then, if an appeal was taken, there was provision for an inquiry, hearing and recommendation by the Department of Justice. Thus the Department of Justice was relieved of handling cases where the local board and the registrant were in agreement on classification, a situation which prevailed for a decided majority of objectors.

General Acceptance of Local Board Classification

The fact that this agreement was achieved between Selective Service and the conscientious objector in a large proportion of cases was to the great credit of both local board members and objectors. Figures to be presented in detail later show that over 50,000 registrants were classified I–A–O or IV–E. Other partially incomplete records indicate 5,438 men as having been placed in these classes by boards of appeal or through an appeal to the President. On the basis of this information it would appear that nearly ninety per cent of the registrants classified as conscientious objectors received such classification at the hands of their own local boards.

Thus the originally proposed plan of having the Department of Justice hold hearings and make recommendations for all men claiming conscientious objection would have constituted an unnecessary procedure. In addition had the Department been required to conduct hearings on all of these cases, it would have been charged with a burdensome responsibility. As it was the Department found necessary the handling of between twelve and thirteen thousand cases.

Difficult Cases

Even though classification by the local board was accepted in a great majority of the objector cases, there was considerable disagreement over the remaining small number. Religious and other groups representing those who claimed conscientious objection, usually wanted the System to be liberal in recognizing such claims. It is true under ordinary circumstances that they were willing for the claims of the insincere to be denied, but their interpretations of insincerity often varied widely from those of Selective Service.

The issues were drawn when objector registrants who were not satisfied with their classifications, noted appeals to the boards of appeal. Seldom was an appeal taken when the local board classified a man in accordance with his claim. Although the Director of Selective Service, a State Director or another official of the System might disagree with the board's decision, it was usually his feeling that the interest of the Government in getting the classification changed would not justify the effort involved and the delay incident to such action.

Local and Appeal Board Strictness

On the whole, Selective Service local boards tended toward strictness in judging the validity of conscientious objector claims and making classifications of such registrants. There were perhaps two principal factors involved in this. The first was the quite natural and common tendency on the part of local board members to classify according to their own feelings of fairness, justice, impartialness as enjoined by the 1940 law. If their action was the source of disagreement or regarded as unjust they would freely remind the registrant of his right to appeal. A second factor was that local board members were in close touch with the situations of their communities and the feeling of the great majority of people toward objector registrants was not too sympathetic, especially after America's entry into the war late in 1941. Added to both of these was the fact that many conscientious objectors assumed somewhat unreasonable, belligerent, or obnoxious attitudes toward their local board members.

The System's boards of appeal on the other hand were removed in a measure from the local communities and were inclined to be more lenient with the registrant who was opposed to warfare and armed forces. In addition, the boards of appeal received the detailed analyses of cases which were made by the hearing officers of the Department of Justice and were provided, in most instances, with the Department's recommendations. Appeal board members very seldom knew or saw the registrants in question and their approach was therefore more impersonal.

The Liberality of Presidential Decisions

Although the Presidential Appeal Board, which handled appeals to the President and was located at the National Headquarters of Selective Service, was frequently the target for attack by various religious groups because it was composed of military men, it actually proved to be the most liberal unit of Selective Service in granting conscientious objectors the classifications to which they felt entitled. These officials of the System had a very keen sense of their duty and obligations under the act. They operated under a rather liberal interpretation of the law and realizing that the Presidential Appeal Board was where final decisions were made, they conscientiously attempted to carry out this responsibility in moderation. Moreover, they were men of wide experience at handling major difficulties in classification policy.

The liberal approach of its members sometimes brought the Presidential Appeal Board under severe criticism from within Selective Service itself. Undoubtedly there were some objectors assigned to Civilian Public Service Camps who did not belong there, but it was doubtful whether they belonged in the noncombatant service of the armed forces either. On the other hand, some of the cases of worst behavior in Civilian Public Service Camps, assuming for the moment that this constituted a reason for their not belonging there, were those where the registrant was placed in Class IV–E by his local board and an appeal was never taken on such action.

To continue in this paradoxical direction, a considerable number of men who were placed in Class I–A after claiming classification in I–A–O or IV–E, and some who were classified I–A–O, would not accept the finality of their appeal decisions. They were therefore arrested, tried, and convicted for law violation in the civil courts and sentenced to prison terms. By being willing to serve prison terms in lieu of noncombatant duty or civilian work, it may be assumed that they proved the sincerity of their conscientious objection claims.

The Policy Effect of Wide Experience

Over and above the experience which National Headquarters had in conscientious objector cases through the activities of the System's Presidential Appeal Board, its Camp Operations Division handled hundreds of cases and had intimate contact with many which involved special problems. This had a tremendous effect upon the over-all classification policies which were established for the classification of individuals averse to resistance and violence. While most local boards had but a few instances of objection there were a very large number of cases considered by National Headquarters over the 6½ years of the System's operation and their impact served to establish valuable patterns as guides to the Nation as a whole.

Aside from the opportunity afforded to gain a more complete understanding of the conscientious objector through the handling of many cases, there was the fact that National Headquarters was the only unit of Selective Service permitted access to the Federal Bureau of Investigation reports on men claiming to be objectors. Such reports covered the lives and activities of objector registrants as they were investigated while their cases were before a board of appeal. Close contact with the prosecution of objectors who were law violators, the handling of objector parolee cases, and conferences with the War Department on disciplinary problems where the soldier claimed conscientious objection, also combined to influence the national policy on the objector and to incline it toward liberality.

Another somewhat motivating factor in the development of liberal classification policies was that the Nation was engaged in an all-out war effort and that prior experience had shown the armed forces often impeded where overzealousness had forced men claiming objection into combatant service. Because of their sincerity many such men later developed into disciplinary cases while on duty.

From another standpoint if the objector did not accept induction for combatant service, he became a delinquent, and the Nation lost not only the contribution he would have made as a noncombatant or civilian worker, but it also had to assume the added burden of his apprehension by the Department of Justice, his prosecution in the Federal courts and in the event of conviction his incarceration by the Bureau of Prisons.

Dual Role of the Director on Presidential Appeals

As regards the Presidential appeal of objector classifications, the Director of Selective Service had a dual function. In the first place, all appeals to the President were actually decided by the Director on a delegation of authority from the President and through applying the recommendations of the Presidential Appeal Board. In the second place, the Director exercised authority in any case to take an appeal either to a board of appeal or to the President.

The authority for the Director of Selective Service to appeal classifications was a general authority not restricted to the cases of conscientious objectors, nor was it even restricted to classification actions. The Director might appeal from any determination of a local board or of a board of appeal. This authority was held also by State Directors of Selective Service and was specifically granted by Sections 627.1 and 628.1 (a) of the general regulations:

> 627.1. *Appeal by Director and State Director.*—(*a*) Either the Director of Selective Service or the State Director of Selective Service as to local boards in his State, may appeal from any determination of a local board.
>
> (*b*) Either the State Director of Selective Service or the Director of Selective Service may take such an appeal at any time.[1]
>
> 628.1. *Who may appeal to the President from any determination of a board of appeal.*—(*a*) When either the State Director of Selective Service or the Director of Selective Service deems it to be in the national interest or necessary to avoid an injustice, he may appeal to the President from any determination of a board of appeal. He may take such an appeal at any time.[2]

The National Service Board for Religious Objectors began early to bring to National Headquarters reports of alleged error in the classification of individual claimants of conscientious objection by local boards in various parts of the country. At that time, however, the Board was requested to send such communications direct to the appropriate State Headquarters. Later it was realized that, in connection with the consideration of cases brought to the Presidential Appeal Board through procedural appeal, it would also be well to have a section within National Headquarters to accept and process these nonprocedural appeals.

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[1] As finally amended by Amendment No. 326 (10 F. R. 9210), effective July 23, 1945. Sec. 627.1 appeared in the first edition of the *Selective Service Regulations* (Washington: 1940), as par. 370 (b) and 371 (a); par. 371 (a) was amended by Amendment No. 71 (6 F. R. 2835), effective June 20, 1941 and sec. 627.1 by Amendment No. 194 (8 F. R. 16720), effective December 11, 1943.

[2] As finally amended by Amendment No. 105 (7 F. R. 10521), effective December 15, 1942, Sec. 628.1 appeared in the first edition of the *Selective Service Regulations* (Washington: 1940) as par. 379 (a).

State Origination of Most Presidential Appeals

The taking of objector classification appeals to the President by the Director and the State Directors became a procedure whereby a general uniformity of action could be achieved. National Headquarters always encouraged the taking of informal requests for appeal action to State Directors first of all, but it did not hesitate to proceed upon its own in the absence of action by State Directors when such was thought necessary. The prompt and frequent action of State Directors in this regard, however, resulted in the Director himself having to take very few appeals on conscientious objection to the President. Separate figures for conscientious objectors are not available, but up to September 1, 1945, State Directors initiated general appeal action in 44,774 of the total Presidential appeal cases as compared to only 1,437 by the Director.

Special Procedure for Objector Delinquencies

Because a considerable number of objector cases involving delinquency were found to have resulted from faulty classification procedure or to be contrary to national policy, it was finally deemed advisable to have all such cases reviewed in National Headquarters prior to their being reported to a United States attorney as law violations. Accordingly, late in the experience of the System, the regulations were changed and the new procedure made effective. However, it was not placed in operation due to the expiration of the Selective Service Act on March 31, 1947.[3]

It was believed the adoption of this procedure would accomplish two things. First, it would insure more uniform treatment and obviate classification which was not in accordance with national policy. Second, it would enable Selective Service to assure the Department of Justice that the classification of a man referred for prosecution was accurate.

General Considerations in Objector Classification

The question of the classification of difficult conscientious objector cases was usually resolved in the last analysis either on the question of whether the registrant came within the general purview of congressional exemption as a religious objector "to all war" or whether, in spite of being technically within the scope of the law, he was personally insincere. These two issues were closely related and interwoven. But a relatively clear distinction was usually possible from an exhaustive review of the facts in a given case, from giving great weight to pertinent material on both current and previous actions and statements.

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[3] As provided by Amendment No. 423 (12 F. R. 2126) to sec. 642.41 (a), effective March 31, 1947 of the *Selective Service Regulations,* second edition (Washington: 1942, 1943, 1945). Sec. 642.41 was originally provided by Amendment No. 181 (8 F. R. 14115), effective November 1, 1943.

The Selective Training and Service Act of 1940 stated that a conscientious objector was one who was "opposed to participation in war in any form." From this was deducted the basic idea or concept of opposition "to all war" and the fundamental assumption that such objection would have been held in peacetime as well as in time of war. Consequently information on previous service in military or naval organizations, or on refusal to enroll when opportunity was specifically offered, as in school training units, constituted factual material of great value in considering and interpreting the objector's beliefs.

The law stated further that such conscientious objection should be "by reason of religious training and belief." Positive data on training of this nature were often available and always valuable as contributory evidence. In considering the claims of conscientious objection, the System naturally started with the historically known basis for such claims and with the current expressions of individuals representing conscientious objectors at the time of the enactment of the 1940 law. These were applied in accordance with the approach of the Congress to the views expressed in the committee hearings of 1940 on the Burke-Wadsworth bill for selective service.

Paul French's Interpretation of the Act

Additionally and especially in view of the many discussions during the war years on the congressional intent of the 1940 law, a memorandum given to the System by Paul Comly French, field secretary of the Friends War Problems Committee, under date of October 23, 1940, is very significant. This was written as a suggested guide for local boards in classifying conscientious objectors. It is particularly important because it reflects the thinking of an individual who not only held a prominent position among the representatives of a large group of objectors but who also was closely connected with the writing of some of the most essential parts of the conscientious objection provisions. It read as follows:

> A person shall be deemed to be conscientiously opposed to war in any form if in good faith and in conformity to his sense of right and wrong or in conformity to the dictates of his conscience he objects to war or to the preparation for war. The opposition of such persons shall be deemed to be based upon religious training and belief if such opposition is accepted by such individual as a part of the belief, faith or doctrine of any religious denominations, sect or organization of which he is a member, or if arrived at as a result of other religious training as herein defined or as a fixed belief through ethical or moral considerations. Religious training shall include any training whether conducted individually or in classes or groups, through courses of study or individual or other forms of instruction, which has for its purpose the recognitions, service and adoration of God or a

god and the development of a way of life based upon a conception of man's relation to God or a god and to his fellow men.[4]

The Importance of the Registrant's Conduct

In the classification activities of the Selective Service local boards, appeal boards and Presidential Appeal Board with reference to conscientious objectors, considerable importance was attached to the generally expressed standards of conduct which were held suitable for members of each of the different peace churches. It was felt that observance of such standards by objector registrants was rather conclusive proof of their sincerity. The System was mindful, however, that these standards were usually set up by the organizations in question as ideals of conduct. But if an objector claimed affiliation with a certain church denomination, deviation in conduct from the accepted standards of the group was reason to doubt his sincerity.

The whole matter of religious conscientious objection was considered a personal matter. Each case was approached separately and primarily from the registrant's personal viewpoint. For instance, there was one case where a member consulted three elders of his church as to whether certain contemplated employment was consistent with the view of the group. Two of the three elders advised against the employment, but the man accepted the position in accordance with the advice of the third. In this instance, the registrant's action was held to be not inconsistent with his personal convictions and, since his record was otherwise good, his claim of conscientious objection was allowed.

It was reasoned that men should be judged by the whole of their training, belief and conduct. Isolated items needed to be fitted into the whole picture. As an example, it was not the practice to base the denial of a registrant's claim of conscientious objection on his failure at age 18 to have joined the church with which he later affiliated, if that church made a practice of urging membership only after a person reached adulthood. Nor was it fair to reason that an individual was irreligious just because he had broken the church or civil law in some instance in the past.

Influence of Many Factors on Classification

As this chapter has indicated, the classification of conscientious objector registrants during the national emergency of 1940–47 was influenced by many and varied factors. These factors operated singly or jointly with respect to classification or to classification principles or policies. In other words when the classification of a man opposed to war and armed forces assumed difficult proportions with his Selective Service local board, it then became the subject of very exhaustive consideration by the System.

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[4] Unpublished document on file at National Headquarters, Selective Service System, Washington.

In addition to personal sincerity, as shown by training, belief and conduct, the following factors have also been among those mentioned: the intent of Congress in passing the conscientious objector provisions of the Selective Service Act; the administrative interpretations of the law; the underlying principles of the objection held; the approach of the local board, appeal board, Presidential Appeal Board, State Director, Director and the President; public opinion as expressed by both local groups and those of broader areas; status as parolees from civil or military prisons; and court interpretations of the legislation.

A very considerable factor which has been mentioned but needs further attention was the study given to difficult cases by the Department of Justice and the recommendations made by it. This included factual information presented by the Federal Bureau of Investigation and the recommendations of the various Hearing Officers who had been appointed to hear the objectors individually.

Department of Justice Report on Objector Cases

The Department of Justice made a statistical report on its activities with reference to conscientious objector cases as of June 30, 1946. A total of 12,342 cases were reported as having been handled and closed by the Department. Detailed statistics were included in this report on geographical distribution, age, race, education and occupation, but such analysis was for a distinct segment of objectors and is not presented here. The cases covered were largely registrants whose claims had been denied in most instances by both a local board and a board of appeal.

Nevertheless a few generalizations may be made using these data. One is that the largest number of the cases handled by the Department of Justice were from New York, the most populous State. Yet of the registrants actually classified as conscientious objectors the largest number were in Pennsylvania. This suggests that there were more objectors in New York than in Pennsylvania whose sincerity was doubted by Selective Service.

It is also of interest to note that Negro registrants figured in only 4.4 percent of the Department of Justice cases. This is only about half as large a percentage relationship as that race bore to the total registration of the System.

Comment on Claims by the Justice Department

Of considerable significance from a classification standpoint was the comment of the Department of Justice in its report regarding the basis of claims made by conscientious objector registrants. This comment read in part as follows:

> The exempting statute as passed by Congress, which persisted without amendment throughout the entire operation of the program, specifically provided that any claim for exemption granted under the Act must be "by reason of religious training and belief." While the statute thus provided an objective standard as a basis for exemption, extreme difficulty was experienced in applying the standard because the determination of its existence in each particular case required exploration of the subjective conscience of the registrant. Except for the probative value deducible from the registrant's daily life and conduct, most of the evidence concerning the existence of his conscientious objections arose from his own selfserving statements or an appraisal of his mental state by means of the examination conducted by the Hearing Officer at the hearing.
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> Of course, the Selective Service special form for conscientious objectors contained a series of questions in answer to which the registrant was supposed to outline his religious background and training. Because of the diversity of religious persuasion which is characteristic of the American people, it was decided at the outset that formal adherence to a creed, sect or denomination was not necessary in order to prove the existence of the "religiousness" necessary to sustain the claim for exemption. Accordingly in the initial circular to the United States attorneys and hearing officers it was provided that exemption may be granted to—
>
> (*a*) Those whose conscientious objections were based upon the tenets of a particular church or religious organization, and
>
> (*b*) Those whose conscientious objections were based upon their own scruples but who do not rely upon adherence to a particular religious doctrine or membership in any church, sect, or religious organization as a basis thereof.
>
> The circular then stated that: "The question in the first class of cases whether the registrant is a bona fide member of such group or denomination or sect and whether his conduct and mode of life are generally such as to indicate that he is a bona fide believer in its tenets. This group will include members of the so-called Peace Group churches as well as members of other denominations, or established churches, the creeds of which are bases for an individual belief that war is unchristian or ungodly. In the second class of cases the question is whether the registrant individually is conscientiously opposed to participation in war in general and not whether he is conscientiously opposed to participation in a particular war. In seeking to determine the state of mind of the conscientious objector, which may be difficult in the latter class of cases, the hearing officer should satisfy himself that the objections of the registrant are based upon a personal religious or ethical conviction, and not upon a political doctrine." [5]

Thus the Department of Justice as well as the Selective Service System found very difficult the matter of substantiating conscientious objector claims.

The Basing of Most Claims on Religious Tenets

Of the 12,342 cases closed by the Department of Justice on or before June 30, 1946, 6,210 or 51.3 percent based their claims either on general or specific religious tenets. Bible study, obviously having a religious connotation, served as the basis for 2,182 registrants (17.7

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[5] Unpublished report on file at National Headquarters, Selective Service System, Washington.

percent). General opposition to participation in war, not necessarily religious in character, was the basis of the claim for exemption in an additional 1,409 registrants (11.4 percent). Seven hundred and twelve registrants (5.8 percent) gave merely personal reasons for objection to service, while 613 registrants (5 percent) based their claims solely upon the prohibition of the Old Testament Commandment, "Thou shalt not kill."

It is worthy of note that while the statute required a religious basis (training and belief) for exemption, 202 registrants specifically claimed they were agnostics. The remainder of the 12,342 cases were classifiable generally as containing claims for exemption based upon moral, philosophical, ethical or political grounds. Table 1 shows the break-down of these cases by claim basis.

TABLE NO. 1.—*Selective Service cases involving conscientious objection handled by the Department of Justice for recommendation on classification through June 30, 1946*

Basis for claim	Registrants		Basis for claim	Registrants	
	Number	Percent		Number	Percent
Total	12,342	100.0	Moral	27	.2
			Personal	712	5.8
General religious	2,232	18.1	Philosophical	65	.5
Specific religious	3,978	32.2	Political	86	.7
Agnostic	202	1.6	War	1,409	11.4
Bible study	2,182	17.7	No entry	836	6.8
Commandments	613	5.0			

Justice Department Recommendations on Claimants

The work of the Department of Justice involved conscientious objectors who claimed exemption only from combatant training and service in the armed forces (Class I–A–O claimants) and those who objected to any type of military or naval training and service (Class IV–E claimants). Recommendations were made regarding 2,134 of the registrants who objected only to combatant training and service. In these cases, about two-thirds of the recommendations of the Department of Justice to the Selective Service boards of appeal were for classification in Class I–A–O (Table 2).

TABLE NO. 2.—*Department of Justice recommendations for classifying men claiming only objection to combatant service through June 30, 1946*

Recommendation	Registrants	
	Number	Percent
Total	2,134	100.0
Class I–A	679	31.8
Class I–A–O	1,378	64.6
Class IV–E	77	3.6

In the cases of 7,003 registrants who claimed to be objectors to both combatant and noncombatant training and service (Class IV–E claimants), the recommendations of the Department of Justice were as follows:

TABLE No. 3.—*Department of Justice recommendations for classifying men claiming objection to any military or naval service through June 30, 1946*

Recommendation	Registrants	
	Number	Percent
Total	7,003	100.00
Class I–A	2,581	36.9
Class I–A–O	973	13.9
Class IV–E	3,449	49.2

In view of the fact that almost all of these registrants had their claims denied previously by one or two classification agencies of the System, it must be considered quite significant that it was the recommendation of the Department of Justice that 64.6 percent of those claiming exemption from combatant service (Class I–A–O) be sustained in their claim and that of the men who objected to any military or naval duty (Class IV–E), 49.2 percent were supported in their claim. It might be added that an additional 3.6 percent of the first group (Class I–A–O) were recommended for classification in IV–E, exemption from both combatant and noncombatant duty with the armed forces, and that in the second instance (Class IV–E) 13.9 percent were given a part of what they had requested, in that their classification in I–A–O exemption from combatant duty, was recommended.

Thus it will be seen that the general effect of the consideration given by the Department of Justice to objector cases was to recommend that Selective Service appeal and local boards be more liberal in granting the claims of such registrants.

The Following of Justice Department Recommendations

The question of the appeal board's approach to the recommendations of the Department of Justice is also of importance. Reference to the statute and to the general regulations of Selective Service, previously quoted, reveals that the board of appeal in finally classifying the registrant was required to give consideration to, but was not bound to follow, the recommendation of the Justice Department. Data presented in Table 4 show, however, that over three-fourths of the recommendations of the Department of Justice were carried out by the boards of appeal, and that the Class I–A recommendations were more completely agreed to by the appeal boards than any other classification recommended.

TABLE NO. 4.—*Selective Service appeal board classification of conscientious objectors handled by the Department of Justice for recommendation on classification through June 30, 1946*

Appeal board classification	Registrants	
	Number	Percent
Justice Department recommendation of Class I-A: Total	3, 349	100. 0
Class I-A	3, 165	94. 5
Class I-A-O	28	. 9
Class IV-E	21	. 6
All other classes	101	3. 0
None	34	1. 0
Justice Department recommendation of Class I-A-O: Total	2, 418	100. 0
Class I-A	287	11. 9
Class I-A-O	1, 968	81. 4
Class IV-E	22	. 9
All other classes	109	4. 5
None	32	1. 3
Justice Department recommendation of Class IV-E: Total	3, 606	100. 0
Class I-A	589	16. 3
Class I-A-O	72	2. 0
Class IV-E	2, 798	77. 6
All other classes	123	3. 4
None	24	. 7

Appeal Board Agreement a Tribute to the Department

The fact that the boards of appeal followed the recommendations of the Department of Justice in such a large percentage of cases is a tribute to the respect held for the Department and for the procedure which it developed in this connection. It was well known that these cases were carefully investigated by the Federal Bureau of Investigation, although the report of the investigation of that Bureau was not contained in the information forwarded to the board of appeal. In a large number of cases, however, the Hearing Officer's report, which was forwarded to the board of appeal and was placed in the registrant's Cover Sheet (thereby being made available to the registrant himself) contained references to the investigation by the Federal Bureau of Investigation. Perhaps the action by the boards of appeal reflects the persuasiveness of the reports written by the hearing officers. By way of illustration a specimen of these reports is reproduced in the appendices of this monograph.[6]

Justice Department Cases and Presidential Action

Out of the 12,342 cases disposed of by the Department of Justice, 712 were eventually considered and classified by the Presidential Appeal Board of Selective Service. These cases reached the Board in one of three ways. First, the registrant, a dependent of the registrant, or a person who had filed written information regarding the registrant's occupational activities, could take an appeal to the President in the event the registrant was classified as available for service and one or more members of the board of appeal dissented from such classification. Second, a State Director of Selective Service could take an appeal from any classification at any time. Third, the Director of Selective Service could appeal from any classification at any time.

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[6] Appendix G, Item No. 117.

The National Headquarters of the System had a working arrangement with the Department of Justice in such matters. The Department informed the Camp Operations Division, which was in charge of the conscientious objection program for National Headquarters, of any case that a board of appeal classified I–A when the Department of Justice had recommended I–A–O, or had placed either in Class I–A or I–A–O when the Department had recommended Class IV–E. Upon such advice the Camp Operations Division as a matter of policy requested a postponement of induction or a postponement of the issuance of induction orders, meanwhile asking that the registrant's local board file be forwarded for examination. Thereupon an appeal to the President was almost invariably recommended and almost without exception the Presidential Appeal Board classified the registrant in accordance with the recommendation of the Department of Justice. This procedure was adopted because of the regard which National Headquarters held for the work of the Department of Justice on conscientious objector cases.

A study of the 712 classifications given to Justice Department cases on appeal to the President, as compared with the classifications made by the local and appeal boards, reveals that the Presidential Appeal Board was considerably more liberal than either the local boards or boards of appeal. It placed a much smaller proportion of the men in Class I–A and a much larger percentage in Class IV–E or gave them ministerial exemption (Class IV–D). Table 5 indicates these results.

TABLE NO. 5.—*Selective Service classification by agency of conscientious objectors handled by the Department of Justice for recommendation on classifying through June 30, 1946*

Selective Service class	Local board		Appeal board		Presidential Appeal Board	
	Number	Percent	Number	Percent	Number	Percent
Total	11,918	100.0	11,010	100.0	712	100.0
Combatant military service (I–A)	9,297	78.0	5,235	47.6	87	12.2
Noncombatant military service (I–A–O)	1,523	12.7	2,160	19.6	89	12.5
Nonmilitary service (IV–E)	621	5.2	2,967	26.9	264	37.1
Occupationally deferred (II–A, II–B, II–C)	298	2.5	286	2.6	79	11.1
Family or hardship deferment (III–D)	93	.8	60	.5	9	1.3
Ministerial exemption (IV–D)	21	.2	117	1.1	183	25.7
Over-age (III–A)	18	.2	155	1.4	0	
Miscellaneous [1]	47	.4	30	.3	1	.1

[1] Including aliens (IV–C); physically, mentally and morally unfit (IV–F); and exempt public officials (IV–B).

The fact that in only 87 of these 712 cases (12.2 percent) was the registrant classified by the Presidential Appeal Board for combatant military or naval service (Class I–A) is conclusive in showing the Board more liberal than either the local or appeal boards; the percentage figures for these classification agencies was 78.0 and 47.5, respectively.

Those classified by the Presidential Appeal Board, by the appeal boards and by the local boards for assignment to work of national importance had percentages of 37.1, 26.9, and 5.2, respectively. These figures are particularly interesting when it is recalled that frequently complaints were made by groups sympathetic to the conscientious objector against the "Army officers" making up the Presidential Appeal Board.

The Ministerial Factor and Objector Classification

Out of a total of 11,918 conscientious objector classifications reported for this group whose cases were handled by the Department of Justice as to advisory recommendations, only 0.2 percent had been classified as ministers (IV–D) by their local boards. The actions by the boards of appeal raised this number to 1.1 percent while on Presidential appeal 25.7 percent were so classified.

There arose early in the Selective Service program a problem of involvement between the classification for ministerial exemption (Class IV–D) and that for the exemption of conscientious objectors (Classes I–A–O and IV–E). This came up mainly in connection with registrants who were members of the pacifist religious sect known as Jehovah's Witnesses. In some respects these men were opposed to war and armed forces by reason of conscience, but generally speaking the claims of objections which they made were incidental to claims of being "regular or duly ordained ministers of religion." The objector who belonged to this sect was really not asking for assignment to do work of national importance under civilian direction, that is, for Class IV–E exemption, but for legal exemption as a minister from all service including civilian work.

Jehovah's Witnesses as a Different Category

The problem of objector classifications for Jehovah's Witnesses was further involved in that such registrants who claimed opposition to any military or naval service and in effect asked for Class IV–E, if they were not otherwise exempt or deferred in the regular selection process, apparently had no intention of reporting for work of national importance, if so assigned. Therefore, any consideration given to the validity of their objection claims served scant classification usefulness to the System.

In an effort to conserve time and effort as regards cases involving Jehovah's Witnesses, the Department of Justice worked out a general procedure to cover these and similar ones. This was set forth in the Department's Circular No. 3461, Supplement No. 9, September 28, 1943. Information in such regard was disseminated throughout Selective Service in State Director Advice No. 250, November 11, 1943, to which was attached a copy of the Department's circular. The essential part of the procedure was contained in the following paragraph from section III of the circular:

> (3) If the registrant clearly and unequivocally states that he does not desire or will not accept a conscientious objector classification, regardless of the granting or denial of classification in Class IV–D, and that he wishes to withdraw his claim for classification as a conscientious objector, the registrant should be given an opportunity to sign a statement to that effect.[7]

Reference of C. O. Appeals to Justice Department

The Department of Justice and Selective Service took the position that each time the case of a registrant who claimed to be a conscientious objector came before a board of appeal, the case must be referred to the Department of Justice for its recommendation. This was felt to be the direct application of the law. In addition such reference was necessary because new factors in the case might be brought to light by the Department's investigation and hearing. The attention of the State Directors of the System was invited to this approach through the issuance of State Director Advice No. 250–D on April 19, 1945.

As of June 30, 1946, only 58 cases of objectors had been considered a second time by the Department of Justice and only two cases a third time. In such instances the registrant's file was forwarded directly to the Department of Justice by the United States attorney receiving it. After this the Department made a preliminary study to determine whether it would be advisable to have an additional investigation made by the Federal Bureau of Investigation and whether it would be advisable to have a supplementary hearing by a Hearing Officer. In many cases either or both of these additional measures were dispensed with and the Justice Department reiterated its previous recommendation. In some cases, however, the recommendation was amended after additional information was received from the Federal Bureau of Investigation or the Hearing Officer, or both.

The report of the Department of Justice which has already been referred to, shows that in only 183 instances did the recommendation by the Department of Justice differ from that of the Hearing Officer. In 28 of these the officer made no recommendation and in 87 cases the

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[7] Appendix C, Item No. 12.

Department made none. Thus there were only 68 cases in which the Justice Department actually made a recommendation which differed from a specific classification indicated by the Hearing Officer. On the other hand, there were 52 cases involved in which both the Department and the Officer recommended a classification for service, but yet differed in this regard. These are shown in Table 6.

TABLE NO. 6.—*Conscientious objector cases in which Hearing Officer recommendations for classification were changed by the Department of Justice through June 30, 1946*

Recommendation		
Hearing officer	Department of Justice	Number
Total		52
Class I-A	Class I-A-O	10
Class I-A	Class IV-E	16
Class I-A-O	Class I-A	3
Class I-A-O	Class IV-E	18
Class IV-E	Class I-A	4
Class IV-E	Class I-A-O	1

An examination of the above table shows 44 cases in which the Department of Justice recommendation was more liberal than that of the Hearing Officer and only 8 in which the Department of Justice recommendation was less lenient.

A Minimum of Criticism for the Department

The report of the Department of Justice also pointed out:

> The Department received but a small amount of criticism for the manner in which it performed its duties and functions under section 5 (g) of the Selective Service Act. True, criticism and even great pressure were received in connection with individual cases; but this office prides itself on the fact that it has been able to work out a flexible program in connection with one of the most intangible and difficult problems which arose under the Selective Service Act. Proceeding on the theory that the benefit of the doubt should be accorded to the registrant in most cases, the overriding intent and purpose of the Selective Service Act was kept constantly in view.
>
> It is believed that this office has succeeded in discharging its duty not only to the conscientious objector whom Congress intended to exempt, but also to the Government and all other inductees under the Selective Service Act who would necessarily have to serve when exemption was granted to conscientious objectors.

The Selective Service System agreed with this general appraisal.

Presidential Appeal of Some 1,500 Objector Cases

The previous discussion of statistics on appeals to the President was confined to the 712 Department of Justice cases which later came up for consideration by the Presidential Appeal Board of the System. Certain additional data are available to show further the operation of the Board. For instance figures were kept from the beginning of the

Board's activities to September 1, 1945, regarding all of the cases in which a claim of conscientious objection was indicated. There was a total of 1,558 of such cases. No distinction was made in this tabulation between registrants claiming conscientious objection only to combatant training and service and those who claimed to be objectors to all forms of military duty. Table 7 presents these cases according to the classifications made by the local boards, the appeal boards and the Presidential Appeal Board. For purposes of brevity the deferred classes are presented in combined form.

TABLE No. 7.—*Selective Service local board, appeal board and Presidential Appeal Board classification of Presidential Appeal cases, involving claims of conscientious objection through September 1, 1945*

Selective Service class	Local board		Appeal board		Presidential	
	Number	Percent	Number	Percent	Number	Percent
Total	1,558	100.0	1,558	100.0	1,558	100.0
Class I-A	812	52.4	619	39.9	153	9.8
Class I-A-O	232	15.0	229	14.8	141	9.1
Class IV-E	326	21.0	356	22.9	320	20.6
Classes II and III	138	8.8	222	14.3	368	23.7
Class IV-D	12	0.8	38	2.4	366	23.6
Other classes and not stated	38	2.0	94	5.7	14	0.6
Not acted upon	----------	----------	----------	----------	196	12.6

These figures reveal that over half of the cases were placed in Class I-A by their local boards, compared to 40 percent by the appeal boards and less than 10 percent by the President. There was a marked tendency, then, on the part of appeal boards, both State and Presidential, to classify for combatant service fewer of the men claiming to be conscientious objectors. The percentages of those put in Class I-A-O also decreased similarly, although to a lesser degree. The respective figures were 15.0, 14.8, and 9.1. There was not much change in the Class IV-E figures. There were increases in the deferred and exempt classes as a result of the reclassification action at the two appeal levels. Where the local boards deferred only 8.8 percent of these men, the boards of appeal deferred 14.3 and the Presidential appeals 23.7. This compares fairly well with the over-all picture of the activities of the Presidential Appeal Board, for which additional statistics are available. These show that in handling 64,051 cases of all kinds from October 1940 to September 1, 1945, the Board granted deferment in 36.5 percent of the cases, whereas the local boards had voted deferment in only 17.2 percent.

Objectors Who Were Really Ministers

As already shown the local boards and boards of appeal of the System had considerable difficulty in classifying some registrants who claimed to be "regular or duly ordained ministers of religion." The fact that there were a considerable number claiming to be both ministers and conscientious objectors was a coincidence. The claims were both related to religion but they could not be viewed as interdependent except in the cases of ministers of denominations having inclusive nonresistant doctrines. However, there apparently was a decided increase in the number of cases where conscientious objectors were placed in Class IV–D as they progressed through the Selective Service appeal procedure. In this group of cases the percentages were 0.8 by the local boards, 2.4 by the boards of appeal and 23.6 by the Presidential Appeal Board.

Two things may well be pointed out in this connection. First, the number of conscientious objector claimants placed in Class IV–D by the President, namely, 366, represents less than one-fourth of one percent of all registrants classified as ministers by the System. The other is that a large proportion of these men were members of Jehovah's Witnesses.

The Small Proportion of C. O.'s to All Registrants

The number of men classified at some time during the operations of Selective Service as conscientious objectors and placed on the local board rosters as such represented fifteen-hundredths of 1 percent of the total registration. Since out of a total of 64,051 cases considered on Presidential appeal there were 1,558 in which a claim of conscientious objection had been made, the percentages which the objector claimants bore to the total of such cases was but 2.4 percent. Thus it may be remarked again that the magnitude and effect of the conscientious objector problem far overshadowed its numerical significance.

General Policies of Presidential Appeal Board

In concluding this chapter, it may be well to give a general summary of the National Headquarters policy regarding the granting of a claim of conscientious objection as outlined in the Presidential Appeal Board approach. The following is part of a statement made at the close of the first year of war in behalf of the officers who constituted the Presidential Appeal Board. It may be said fairly that this remained the view until the closing of operations:

> The appeals of conscientious objectors have presented some of the most troublesome as well as the most interesting questions. Here divergent ideas broke sharply over that rock of contention presented by the congressional language "religious training and belief." Local boards and boards of appeal generally brought little sympathy to the consideration of these cases. The tendency was to insist that conscientious objections be based upon certain kinds of religious experience. Many board members held the view that such objection must arise from religious training and belief in those particular religious organizations

which make objection to war a definite part of their creed. It was argued, for example, that a member of the Catholic Church could not possibly have a basis for conscientious objections.

Hearing officers of the Department of Justice took a somewhat broader but still limited view in their early reports. They held generally that the conviction, while limited to no particular creed, must nevertheless rest upon an easily recognizable religious background with the definiton of religion the usual somewhat formal concept.

After much consideration, we adopted a more liberal view, based upon a conclusion that the definitions of religions and the variety of religious experience are so nearly infinite in number as to make futile any attempt to say whether this or that one met the law. The practical effect of this decision was to say that conscientious convictions held by a man reared in the environment of a religious civilization and exposed, if only subjectively, to its ethical concepts, have their roots in the same soil from which spring religious convictions, and furnish evidence from which may be drawn the inference that he recognizes a Deity or a power above and beyond the human. This view has prevailed.[8]

Summarization

This statement by the Presidential Appeal Board indicated again the liberal principles and policies of classification and selection which that agency of Selective Service applied to conscientious-objector registrants during World War II. It was also evidence of the whole approach to the problem taken by the System's National Headquarters wherein the Board was located. Many factors entered into the adoption and continuation of such an attitude. The more important of these were: (1) Selective Service's own interpretation as well as that of the courts regarding the intent of the objection provisions in the 1940 law, (2) tendency for local boards as final classifying agencies to apply narrowly the System's Regulations on objectors, (3) custom for greater leniency in appeal-board classifications and Justice Department recommendations to appeal boards, (4) delegation by the President of his appeal responsibilities to the Director of Selective Service, (5) the administrative handling nationally of many objector cases from all over the United States, (6) National Headquarters access to the investigation files and hearing reports in the Justice Department on registrants opposed to war and armed forces, (7) desire to help the armed forces avoid the disciplinary problems of objectors in combatant service and to assist the Government in avoiding the court and imprisonment enforcement of delinquency penalties, (8) interest in "fair and just" selection for men conscientiously opposed to war "by reason of religious training and belief" as well as for all registrants and (9) cooperation of National Headquarters with the National Service Board for Religious Objectors.

These factors also reveal some of the general principles and policies for classifying objectors. In addition the classification significance of information on the conduct, training and belief of this type registrant should be mentioned. The local board in its strict approach to substantiating the validity or sincerity of a conscientious objection claim, depended heavily upon such data as it placed the available registrant in Class I–A, I–A–O, or IV–E. The boards did well enough in this regard that 90 percent of the objectors whom they classified, accepted such action without exercising their appeal rights.

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[8] *Selective Service in Wartime,* Second Report of the Director of Selective Service (Washington: 1943), p. 258.

The appeal board, which took a more lenient approach, likewise depended upon information of this type in cases forwarded to it for classifying. The same was true of the Department of Justice in making classification recommendations on cases referred from the appeal board. The Department even went further by having the Federal Bureau of Investigation make a special investigation of the registrant and a Hearing Officer conduct hearings for him to provide exhaustive material on conduct, training, and belief. These data were basic also when the State Director or the Director of Selective Service was considering an appeal to the President and when the Presidential Appeal Board was engaged in classifying. They were fundamental, too, in the case where the objector coincidentally claimed to be a "regular and duly ordained minister of religion" and made claim for exemption on the grounds of objection because ministerial exemption in Class IV–D had not been granted him.

Thus the classification of a conscientious objector was based on thorough and painstaking consideration, and the sincerity of his claim for exemption from combatant service (for Class I–A–O) or any military or naval duty (for Class IV–E) was given increasingly more exhaustive and careful study if appealed. It was the whole effort of the System to pay the utmost respect to the objector registrant's claim so that his duty in the emergency of 1940–47 under the Selective Service Act could meet the dictates of his conscience as well as the needs of his country.

IX

THE CIVILIAN WORK PROGRAM FOR CONSCIENTIOUS OBJECTORS

Both specific and general treatment has been given to the Selective Service classification of conscientious objectors who were opposed to any military or naval service during World War II and whom the local boards of the System found available for duty. It has been seen how their opposition to noncombatant as well as combatant service with the armed forces caused them, when they were selected for duty and their objection claims were substantiated, to be placed in Class IV–E, available for assignment to work of national importance under civilian direction. On the other hand, if their claims were not found valid they were put in I–A–O as noncombatant "availables" or I–A as combatant "availables."

The relationship of this type registrant to the specific objector provisions of the Selective Service Act and regulations for World War II has been observed. Attention has also been given to the genesis of the civilian-work idea in the American philosophy and history of service during national emergencies and in the church backgrounds of conscientious objection. It is, therefore, time to see what was involved in the 1940–47 program on work of national importance.

The Work Program For Objectors a New Idea

In the planning which lay back of the Selective Training and Service Act of 1940 it was not contemplated that the statutory provisions for conscientious objectors would differ materially from those in the conscription legislation of World War I. As noted previously, the reference made to objectors in section 7 (d) of the original Burke-Wadsworth Bill was that "no such person shall be relieved from training or service in such capacity as the President may declare to be noncombatant."[1]

The provisions finally adopted read in part that a man found under the act to be a conscientious objector to both combatant and noncombatant service should, in lieu of induction into the land or naval forces,

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[1] *Hearings on S. 4164 before the Senate Committee on Military Affairs,* 73d Cong., 3d Sess., (Washington: 1940), p. 3.

"be assigned to work of national importance under civilian direction."[2] This meant that such registrants were to be in no way a part of the armed forces and in no way under military law and subject to court martial. The legislation was silent, though, on how this provision was to be administered. The matter was left entirely to determination by the President along with various other matters connected with putting the act into effect.

Existence of But Slight Precedent

As has been noted, there was but slight precedent from World War I for the handling of such registrants. During that emergency a considerable number of conscientious objectors were furloughed from the Army into agricultural and industrial service and some to the Friends Reconstruction Unit for duty in France. There is evidence also that others were furloughed for duty in Virginia hospitals. A record likewise exists of special service in forestry work for Mennonite objectors during a short term following the year 1880, in Russia. Then in the American Civil War the Federal Government provided for objector duty in hospitals and in institutions caring for freedmen.[3] However, all of this was under general military supervision.

Early Consideration of the Civilian Work Problem

The National Headquarters of Selective Service began work on the conscientious objector problem very shortly after the act was approved on September 16, 1940. A memorandum, dated September 24, 1940, made the following recommendation:

> Pending the completion of my study of the conscientious objector feature of the law, as it applies to the assignment of a conscientious objector to work of national importance under civilian direction, I recommend that an informal conference be immediately aranged of representatives from several national agencies, such as WPA, NYA, CCC, Public Health Service, and the Veterans' Administration, for the purpose of—
>
> (1) Coordinating a national policy, and
>
> (2) The designation of the various types of work to be performed by such registrants, and
>
> (3) Possible methods of administration of these particular registrants in such national work.[4]

The President of the United States had, on August 27, 1940, appointed a special group to work with the Joint Army and Navy Selective Service Committee in planning the procurement of military and naval manpower. This was called the National Advisory Committee on Selective Service and it also participated for some time during the fall months of 1940 in the discussions on the problem of a civilian work program for conscientious objectors. The committee was originally composed of Frederick Osborn, W. H. Draper, Jr., Floyd W. Reeves and Joseph P. Harris. Added to it later were Channing H. Tobias and Wayne Coy.

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[2] Public Law No. 783, 73d Cong., 3d Sess. (Washington: 1940), sec. 5 (g).

[3] Guy F. Hershberger, *War, Peace and Nonresistance,* op. cit., pp. 84–85.

[4] Unpublished document on file at National Headquarters, Selective Service System, Washington.

The First Planning

During the fall of 1940 the planning for a civilian work program to utilize conscientious objectors was handled by the Manpower Division at the National Headquarters of Selective Service. It was thought that perhaps the best program, at least a program capable of the most rapid development, would be one which could use certain available equipment, buildings, camp supplies and the like. Consequently, the possibilities of continuing some of the projects abandoned by the Civilian Conservation Corps were explored. With this in mind an officer, experienced in the CCC program, was secured by National Headquarters to assist in planning the "work of national importance" and a series of conferences was arranged with representatives of the CCC, the Federal Security Administration, the War Department, the Department of Agriculture, the Department of the Interior, and other agencies interested in the CCC projects.

Surveys were then made to determine the costs and the availability of buildings, equipment, camp supplies, and other necessities. On November 20, 1940, the first actual inspection of a camp location was made. This location was outside of Grottoes, Rockingham County, Va., where Civilian Conservation Corps camp NP–4 had been operated by the National Park Service near an area having a continuing need for erosion control. The inspection of the camp was made by representatives of Selective Service, the Army, the Department of Agriculture, the National Council for Religious Conscientious Objectors, the Mennonite Church, and others. It was here that much of the pattern for later camp cooperative relations was worked out between the agencies and organizations concerned. Tentative determination was made regarding the extent of technical responsibility by the agencies, the limit of the church group participation, and other steps necessary to the setting up of a program by the System.

The National Service Board for Religious Objectors

Although the main burden of administering work of national importance under civilian direction was to fall upon the Director of Selective Service and his representatives working cooperatively with the representatives of the larger groups of religious objectors, the three largest peace churches had been quite active in presenting their viewpoints to the Congress when the Selective Training and Service

Act of 1940 was being formulated. These groups were now desirous also of the privilege of operating work units of conscientious objectors. It was evident that they had rather different ideas than the System for the administration of such units and it was anticipated that misunderstandings and confusion would be the outcome of separate agreements with the several groups. It was therefore suggested that one central representative body be formed through which all matters could be cleared by Selective Service.

Such an organization was therefore formed in October 1940 and was named the National Council for Religious Conscientious Objectors. During December 1940 the name was changed to the National Service Board for Religious Objectors. In autobiographical language its origin is explained as follows:

> As a result of our early conversations with Dr. Dykstra and Colonel Hershey our groups realized that we needed some organizational form which would permit us to discuss problems with the Government on a collective basis. It was obviously impossible for Selective Service, merely from the time element, to talk over the same problem with representatives of many religious denominations and other groups. But if a unified approach could be made to them, it seemed likely that they would be willing to listen to suggestions and proposals from us. The development of this thinking led to a meeting in Washington to consider the situation. That meeting recommended that a larger group be brought together in Chicago on October 4 to establish a National Council for Religious Conscientious Objectors. Friends, Brethren, and Mennonites agreed and the council was organized with offices in the National Press Building, Washington, D. C. Later the name was changed to National Service Board for Religious Objectors and all other interested groups were invited to participate.[5]

At first this organization represented only the American Friends Service Committee, the Brethren Service Committee, and the Mennonite Central Peace Committee. It continued to function throughout the war, however, and came in time to represent practically all of the larger conscientious objector groups.

Various Ideas Regarding Work for Objectors

The suggestions and proposals variously advanced for the use and control of conscientious objectors ranged from assignment on an individual basis with no supervision all the way to Government-operated and strictly disciplined concentration camps. The problem was further complicated by the degree to which the various individuals and their groups were willing to go in participating in the defense effort. Some were willing to take part in outright defense work so long as it did not involve actual military or naval service, but others were opposed even to growing crops that might conceivably be used for war purposes.

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[5] National Service Board for Religious Objectors, *Camp Directors Manual,* (Washington: rev. 1943), pp. 1–12.

Realizing that many objectors would be strongly opposed to any type of defense work, the policy adopted was to choose work projects as unrelated to the war effort as possible. It was planned also to operate these projects through agencies which were distinctly civilian in character. It is true that in the later months of the civilian work program several projects somewhat connected with the war effort were established. One of these was even directly under the supervision of an agency of the War Department. However, only assignees who volunteered for transfer were sent to these projects.

In the meantime, men who had been placed in Class IV–E by their local boards and whose order numbers had been reached were allowed to remain at home, causing numerous complaints from local board members and other citizens. These people complained that conscientious objectors, never very popular, were being favored, since they remained in the community while men in Class I–A or I–A–O were being inducted for training and service in the armed forces.

Early Program an Extension of Civilian Conservation

In time the various plans crystallized, finally emerging as the usual democratic compromise between divergent points of view. Progress was necessarily slow, such matters took considerable time, particularly in view of the fact that the religious groups wished to maintain full control of the assignees on any program and objected to any Government supervision. Some became critical because of the delay, others understood. Paul Comly French, executive secretary of the National Service Board for Religious Objectors, in a booklet published November 1, 1942, expressed it this way:

> It takes time to work out new plans and new projects with Governmental agencies under normal conditions. And it takes even more time and energy and patience to develop a new program in fields which have no blueprints in the midst of a global war.[6]

It was agreed that "work of national importance" should, in the initial stages at least, be mainly a continuation of projects originated by Civilian Conservation Corps and carried on in the old camps of this agency. Such projects had been in operation for several years and had been accepted generally by the public as nationally important activities. In addition, various governmental agencies such as the Forest Service and Soil Conservation Service had projects and experienced personnel available to help in getting the civilian work program for objectors under way.

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[6] Paul Comly French, *Civilian Public Service* (Washington: National Service Board for Religious Objectors, 1942), p. 16.

More Specific Planning

Then too, some of the churches most concerned, had already been operating work camps for their young people and it was not a long step for them to reshape such programs for the new activity involving objectors. On November 12, 1940, the following suggestions were made by letter to the National Headquarters of Selective Service by the National Council for Religious Objectors:

> In line with our conversation this morning, I am submitting a specific program of work of national importance under civilian direction for boys who are judged sincere in their conscientious convictions against military training and service.
>
> I would suggest three types of projects. The first would be for technically equipped boys to work with Government agencies and with the Government paying all expenses. The boy, however, should not receive personally any greater pay than he would have received if he had been in the military service. I think that this type will represent a very small number of the boys involved.
>
> The second type of projects would be camp units operating in conjunction with Government agencies but under the administration of such organization as the American Friends Service Committee, the Brethren Service Committee, and the Mennonite Central Committee. In this type of project, the Government would assume technical direction of the work, and would pay for maintenance such as food and shelter and supply the necessary tools. The agency administrating the project will employ and pay the administrative staff including camp director, educational director, dietician, and nurse. In this type of project provision should be made so that boys might have the choice of either accepting or refusing to accept wages at the Army scale.
>
> The third type of project would be operated and financed by the agencies listed above and any other agencies which the Director of Selective Service might decide was competent to direct such projects. In this type of project there would be no expense to the Government, but the directing agency should have the opportunity of selecting the best boys qualified to fit into the program.
>
> Under type three the American Friends Service Committee now has a camp functioning on New York State Forest Lands at Cooperstown, N. Y. This camp has been in operation for some time and is equipped to immediately take up to 20 boys. The work being performed there is in conjunction with the New York State Forest Department and is directed toward the profitable use of submarginal land through instructing farmers on the best methods of raising trees on this land. The camp is also assisting a cooperative lumber mill which is being developed in conjunction with this program.
>
> The American Friends Service Committee is establishing in Patapsco State Forest about 10 miles south of Baltimore, Md., a work camp in conjunction with a Maryland State Forest Commission. This project will be available for boys between the 25th of November and the 1st of December and will be able to handle approximately a hundred persons. The plan was to use this camp as a reception center and later distribute those boys with special qualifications to smaller units approved by the Director of Selective Service.
>
> The Brethren Service Committee have a camp at Onekame, Mich., which is adjacent to the Manistee State Forest. They are prepared to receive 100 boys on the 1st of December and to gradually expand their facilities as necessity arises.
>
> Under the type 2 project, the Mennonite committee is prepared to operate in conjunction with the Soil Conservation Service, a camp for 100 boys in

Rockingham County, Va., near Harrisonburg. The camp would be administered by the Mennonites but the Government would be expected to provide maintenance and tools. This project has been discussed with Dr. Henry Abbott of the Soil Conservation Service and they are prepared to immediately work out the details with us so that this camp can be ready to function on the 1st of December. This camp would be used for all of the Mennonite boys called to service.

It seems to me that these four units would cover the immediate problem facing us and that the program can be expanded as the need arises.

Selective Service Plans for Camps

Among the questions being discussed within the System at this time were the following: (1) financing the civilian work program for conscientious objectors; (2) types of work to be undertaken and possible locations for them; (3) legal questions involved in the program; (4) quotas or the numbers of conscientious objector registrants who would be assigned; (5) methods by which local boards would report objectors to National Headquarters through State Headquarters; (6) allowing objectors to volunteer for civilian work; (7) the status of the civilian worker after one year's service; and (8) parole of Selective Service violators from prison to civilian work.

By the early part of December 1940 it was generally agreed that it would be necessary for the President, by Executive order, to (1) define what constituted work of national importance under civilian direction and to give authority to the Director of Selective Service to issue detailed definitions and regulations regarding it; (2) give the Director supervisory control over the program; and (3) authorize the Director to call on other Government departments and agencies and private organizations to cooperate in carrying on the work with funds furnished from appropriations of the System or from private sources.

It was understood that pursuant to the above, the Director would need to: (1) secure the appropriation of adequate funds; (2) issue special Selective Service Regulations defining the work and prescribing rules for assignment thereto and for the general direction of the program; and (3) set up the necessary administrative controls of Selective Service for (a) planning and continuing of the program, (b) controlling of the assignment and delivery of men from local boards through State Headquarters, and (c) giving inspection and policy supervision to the program.

Attention was also being given to the details of establishing camps, along with those for administrative organization. It was suggested that the following data on each proposed camp should be obtained: (1) a statement of the work project available and a letter of approval from the technical agency which would direct it; (2) one regarding constructional work equipment needed and, if available, where and by whom to be furnished; (3) a statement of technical personnel needed and when and where available; (4) information on ownership, leases, or control of camp sites and records of the same properly executed; (5) a statement of ownership or control of all camp improvements and records of the same; (6) one on camp supervisory personnel, that is, the names and other pertinent data and by whom furnished and when available; (7) letters of approval for occupancy by (*a*) the corps area medical officer of water supply and sanitation and (b) the corps area quartermaster officer of building equipment; (8) advice on the availability of all utilities—water, electricity, telephones, etc.; (9) information regarding the adequacy of camp equipment; (10) letter if possible from the United States Public Health Service that this agency could and would make inspections within reason when requested; (11) local information as to whether the camp was acceptable to the community in which it was situated; (12) evidence on the acceptance of bond to the System by the National Service Board for Religious Objectors; (13) a statement regarding the camp medical and hospital facilities available; and (14) one on the need for the camp which would meet approval.

Presidential Approval of the General Plan

On December 19, 1940, the Director of Selective Service presented a memorandum regarding conscientious objectors to the President of the United States after having previously secured the approval of the various governmental agencies concerned. This memorandum was personally approved by the President. It presented the plans reviewed above. Following the concurrence of the White House, letters were exchanged between the National Service Board for Religious Objectors and the National Headquarters of the System, clearing the last obstacle to beginning the operation of camps for work of national importance under civilian direction.

By January 7, 1941, the Director of Selective Service, in cooperation with the National Service Board for Religious Objectors, had tentatively selected nine camp sites and was making preliminary arrangements with the interested agencies. By January 10, reports were furnished on camps which had been inspected and on general equipment needs.

Executive Order No. 8675

On February 6, 1941, the President signed Executive Order 8675, which read as follows:

> By virtue of the authority vested in me by the Selective Training and Service Act of 1940 (Pub. No. 783, 76th Cong.), it is hereby ordered as follows:
>
> 1. The Director of Selective Service, hereinafter called the Director, is authorized to establish, designate, or determine work of national importance under civilian direction to which may be assigned persons found under section 5 (g) of the

Selective Training and Service Act of 1940 to be conscientiously opposed to participation in combatant and noncombatant training and service in the land or naval forces of the United States.

2. The Director shall make the necessary assignments to such work, shall determine the agencies, organizations, or individuals that may provide civilian direction thereof, and shall have general supervision and control over such work.

3. To the extent that he may deem necessary to carry out the provisions of this order, the Director may utilize the services of the Departments, officers, and agents of the United States; accept the services of officers and agents of the several States, Territories, and the District of Columbia, and the subdivisions thereof; and accept voluntary services of private organizations and individuals; and may obtain, by purchase, loan, or gift, equipment and supplies from Federal and other public agencies and private organizations and individuals, with or without advertising of formal contract.

4. The Director is authorized to prescribe such rules and regulations as may be necessary to carry out the provisions of this order.[7]

Civilian Public Service Camps

With the publication of this order definite progress was possible. In March of 1941, five camps were selected for "immediate use." In April the first set of special or camp regulations was drawn up by Selective Service prescribing the government of the camps and setting forth the duties and responsibilities of the agencies involved.[8] On May 8, the Camp Operations Division was established at National Headquarters with the duty of obtaining, equipping, and operating the camps and assigning to camp the men classified in Class IV–E.

The camps for conscientious objectors were originally referred to as National Service Camps. However, the National Service Board for Religious Objectors came to refer to them as Civilian Public Service Camps. Finally, the System itself officially recognized this as the designation for the camps.

The First Men Ordered to Camp

The first group of men was ordered to report to Camp No. 3 at Patapsco, Md., on May 15, 1941.[9] This camp was under the supervision of the Friends, but, as was usually the case in their camps, the members of that church were in the minority. The registrants sent to this camp were varied and heterogeneous with regard to religion, education, and occupation. Some went willingly, believing they had a duty to perform; other were resentful and suspicious. More than one was surprised not to find the barbed wire and guards of the concentration camp which his imagination had led him to expect.

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[7] Filed in the Federal Register, February 8, 1941 (6 F. R. 831).

[8] The camp regulations were originally promulgated on April 11, 1941, in the first edition of the *Selective Service Regulations* (Washington: September 23, 1940, to February 1, 1942). Later amended, they became Parts 691 and 692 of the second edition (Washington: February 1, 1942, to March 31, 1947). See Appendix B of this monograph.

[9] Appendix G, Item No. 119, List of 151 C. P. S. Camps.

Factors in Selecting Work Projects and Camp Sites

Once the broad outlines of the civilian work program were established, Selective Service was able to orient itself with regard to many of the major problems involved. During at least the first half of the period when the Camp Operations Division was in existence a great deal of attention had to be paid to the matter of selecting projects. It was a much broader question than merely the picking of a type of work which was "of national importance." The following factors were judged to be the most important in selecting projects:

1. Was the project important to the Government in the emergency, considering the manpower available, and was the project the most important thing that could be done at the time? Would it continue to be important with the changes which would probably occur in the situation?

2. Would conscientious objectors perform the work? It would have been useless to select projects which objectors would not do wholeheartedly; filling the jails with them because they would not work would not solve the problem of having them perform service for the Nation.

3. Would the public tolerate the objector in the community where the project was to be located? It would have been useless again to attempt a project in a community where the local population so threatened or harassed the objector that he could not do a creditable job. In many cases the cooperation of the citizens of the community was necessary.

4. Would other employable labor be displaced? No projects could be attempted which would displace labor already employed, nor were projects located where funds and labor were already available.

5. Would the project raise political controversy? It would not do to have objectors in a community where their presence might become a political issue.

Other Considerations in Establishing Camps

When locations and projects were under consideration for "proposed work camps," mimeographed outlines were furnished to the cooperating groups suggesting the types of information desired. The questionnaire for the religious groups suggested the following items:

1. Location of camp by town, county, and State.
2. Capacity.
3. To be operated by what group.
4. Buildings: (*a*) Ownership. (*b*) On Federal or private property (*c*) Will group assume rentals involved. (*d*) Condition of building.
5. Is National Work Camp acceptable to community.
6. Nearest community of concerned religious groups.

7. Is religious group willing to undertake expense of: (*a*) Housekeeping; (*b*) operation and maintenance of technical service operating equipment; (*c*) necessary repairs to buildings to meet CCC standards.
8. How will provision be made for hospitalization (assuming medical man is on duty in connection with camp).
9. Will bond be posted to cover loan of Federal equipment.
10. When will buildings be available for occupancy.
11. When will camp director and staff be installed.
12. Suggested date for camp opening.
13. Names and experience record of staff (on separate sheet).
14. Remarks.

The questionnaire outlining the information desired from the cooperating technical agency including these items:

1. Operating agency: (*a*) Direct supervision; (*b*) in cooperation with State or other groups?
2. Location of camp by town, county, and State.
3. Previous CCC number, by what bureau used and term of occupancy.
4. Statement of physical condition: (*a*) Buildings (list individually on attached sheet); (*b*) sewage; (*c*) water.
5. Are utilities available: (*a*) Plumbing; (*b*) heating; (*c*) wiring and fixtures; (*d*) kitchen.
6. Are buildings on Federal or private property: (*a*) What agency has title to buildings; (*b*) lessor; (*c*) rental; (*d*) terms of lease.
7. Is national work camp acceptable to community (in writing from city or town government)?
8. Has technical agency sufficient technical personnel to direct program and will they be on duty on opening date with available work arranged for?
9. Has technical agency sufficient equipment to operate this camp (expense of operation and maintenance to be borne by religious groups)? (*a*) Will equipment be at camp site by opening date?
10. What is date desired by technical agency to start operation of camp?
11. Remarks.

A third form was furnished as the outline of an inspection report, which was sometimes requested by an Army installation through the Army corps area headquarters. The information desired in such case was specified as follows:

Water.—Report as to source of supply, quantity available, potable, type and condition of system. Any cost necessary for rehabilitation.

Sewerage.—Report as to type, condition, and recommendation as to any improvements necessary and estimated cost.

Buildings.—Number, type, size and capacity (using CCC air space requirements covering barracks). Condition of exterior, interior, roof, plumbing, supports (foundations) and wiring. Report on any operating accessories remaining in buildings. A report on estimated cost of rehabilitation and a recommendation as to advisability of reoccupancy.

Miscellaneous.—Condition of ground and roads, utility availability, power (whether commercial available or generator necessary), telephone, gas, water, etc. Type fuel necessary for heating.

Remarks.—Any comment which inspectors may desire to make, not covered by foregoing and which will help Selective Service System determine advisability of occupancy.

Supervision by the Interior and Agriculture Departments

Because of the uncertainty regarding the number of conscientious objectors who would be sent to the camps and the difficulty of getting Government agencies to accept the responsibility for the camp work projects, it was decided to restrict the setting up of the early camps to the supervision of the Forest Service and the Soil Conservation Service in the Department of Agriculture and of the National Park Service in the Department of the Interior. Of the first 25 camps established, 12 were under the Forest Service, 11 under the Soil Conservation Service, and 2 under the National Park Service.

The Civilian Work Program in 1942

With the complete abandonment of the Civilian Conservation Corps program in 1942 more and more projects of the highest priority with full equipment and comparatively new barracks became available to Selective Service. Consequently, quite a number of the original camp sites were disregarded in favor of more desirable ones. Some of the initial projects were never considered to be of the highest priority either by the technical agencies directing them or by the System. However, due to the necessity of providing work for conscientious objectors which would place them in service and take them from their home communities, such projects were used.

While, generally speaking, the camp program of Selective Service was made up of abandoned Civilian Conservation Corps projects, there were exceptions. Camps were established in New England in order to repair the extensive damage caused by a severe hurricane in the States of New Hampshire and Massachusetts. Additional locations were at Merom, Ind., Hagerstown, Md., and Lincoln, Nebr., where no buildings used by the Civilian Conservation Corps were available, but where extremely valuable erosion control projects were located.

The Hospital Phase of the Program

In 1942 it became increasingly evident that the camp work program would not be satisfactory for all conscientious objectors. Many registrants were assigned to work of national importance who would, for varied reasons, never adapt themselves to its heavy manual labor requirements. Considerable thought had to be given therefore to other available and acceptable projects. While many Americans felt that the objector was entitled to the rights provided him in the 1940 law, there were just as many who believed he was being treated as a member of a "privileged" class. Consequently, additional projects were difficult to develop. Public opinion and the necessity of maintaining the war effort prevented the use of conscientious objectors in the fields of education and social welfare work where there was a possibility that they might spread their philosophies and thus interfere with the winning of the war.

A large number of requests had been received for the use of assignees in general hospitals, tubercular hospitals, and mental hospitals during the early part of 1942. Since many objectors indicated they would welcome such duty, an experimental unit was installed at the Alexian Brothers Hospital in Chicago during the month of March that year. In June of 1942 a unit was also established at the Eastern State Mental Hospital, Williamsburg, Va. These projects, particularly the one at Williamsburg, were approved only after a most extensive survey into the possibilities of this type of service. Experience at the two units showed that a successful operation could be developed in this field. As objectors available for assignment increased in number a great many were ultimately assigned to this phase of the whole program. In fact so many requests were received from hospitals for assignments to this kind of work, once the program had proven satisfactory, that it became necessary to limit them to State mental institutions only. Later, this limitation was waived in order to provide men for Veterans' Administration facilities.

Food Production Assignments

Among other program activities investigated and finally adopted was one calling for the utilization of assignees in food production. Two factors entered into the use of objectors for this purpose. First, in World War I some conscientious objectors were paroled for farm use, and, second, in World War II farming was the only vocation many of the men from rural areas had acquired. When the labor situation on farms became acute as a result of the industrial and armed forces displacement of farm workers, the Department of Agriculture began looking into all available sources of new manpower, and the objector came under consideration in this connection.

A series of meetings were therefore arranged between Department of Agriculture representatives, staff members of the United States Employment Service, the National Service Board for Religious Objectors and staff members of the Selective Service System. These conferences discussed many difficulties which had to be overcome. Some of the problems had to do with (1) the priorities of certain labor shortage areas, (2) methods of selecting assignees for farm work, (3) methods of supervising them and (4) whether or not wages were to be paid, and, if so, on what basis. Considerable time was required to work out all of the details, but four different plans for this phase of the civilian work program eventually became effective.

The first of these plans provided for the use of assignees from regular Civilian Public Service Camps on farms within a radius of 15 miles after certification had been made by the county agent and the county employment office that there was no available labor from other sources. The second plan provided for the use of conscientious objectors on dairy farms in certain counties to be selected by the Department of Agriculture and approved by the United States Employment Service as to the nonavailability of labor. The third program looked to the use of such individuals as dairy herd testers in States where the loss of testers was resulting in the abandonment of the testing program. The fourth plan called for the establishment of units at experimental stations or at agricultural colleges where labor shortages had reduced their programs to the point of retarding the food production program of the Nation.

It was determined by the groups concerned that the farmer, the dairy testing association or anyone else using the farm labor of objectors, would pay the prevailing rural wages of the community. The wage was to be established by the local county wage board and was subject to revision semiannually. The payment of the wages was to be made by the labor user to the National Service Board of Religious Objectors which, in turn, through a preaudit system, would pay allowances to the assignees to be used by them for clothing, other miscellaneous needs and medical, dental and hospital expenses, insurance premiums, and transportation to and from the camps in which they had been on duty. The balance of the fund was to be forwarded to the National Headquarters of Selective Service for deposit in the United States Treasury.

The conscientious objectors, before wholeheartedly accepting this program activity, had to be convinced that none of the money so collected would be used for purchasing war machines or materials of war. This was arranged through the establishment of a special deposit account in the Treasury, which impounded the money and provided that it could not be spent until after the termination of hostilities.

Volunteering for Medical Experiments

No chapter relating to the establishment of the civilian work program would be complete without a reference to the use of assignees as "guinea pigs" on research subjects. This work was the responsibility of the Office of Scientific Research and Development and of the Office of the Surgeon General of the Army. It appealed to many conscientious objectors because, they felt that through volunteering for such projects they could show the public generally that they were not afraid to submit themselves bodily to any worthwhile experiment which would result in the saving of life or improvement of health and living conditions. Requests for these programs started slowly, but increased as it became evident that the assignees would be satisfactory subjects and were willing to volunteer in adequate numbers. The latter was very important inasmuch as such assignments were made only on a voluntary basis.

Other Program Activities

As time passed and as men became available, Selective Service gave consideration to almost any type of project sponsored by Federal or State agencies which would be accepted by the public and would further the general war effort. Ultimately several projects were approved having to do with the control of hookworm and malaria in certain areas of Florida and Mississippi. A public-health program was sanctioned in Puerto Rico. A weather-mapping program came into being under the direction of the United States Weather Bureau. The United States Coast and Geodetic Survey obtained approval for the use of assignees to run surveys. The Forest Service, Department of Agriculture, submitted and had approved the use of objectors as parachute fire fighters in the less accessible western forest areas.

Before the conclusion of the program, consideration was given to the use of specially trained men on detached duty with the Forest Service. This was done only after the claim had been made and substantiated that valuable work of the bureau could not be done otherwise because of the impossibility of obtaining the services of properly educated and trained individuals. Men with the proper qualifications were found in the ranks of objectors and were assigned to this detached duty.

The Success of the Camp Phase

The discussion of the last few pages is not intended to give the impression that the basic camp phase of the civilian work program was not satisfactory and that it was necessary to develop other activities because of that fact. To remove any doubt it may be stated that, in the opinion of Selective Service, no program would be successful for conscientious objectors which did not provide for some camps. It was in the camps that a screening procedure became possible and permitted the proper reassignment of men to projects for which they proved qualified. At the same time too it could be determined whether or not a man was going to cooperate with the program as a whole.

Neither should it be supposed that all projects which were suggested proved to be acceptable. Many, submitted chiefly through interested church groups, were not approved because in the opinion of the System such activities might create difficulties in the relationships between Selective Service and the public.

The Manner of Establishing Camps and Projects

While at the inception of the program it was, in some instances, very difficult to establish camps or projects due to resentment against the conscientious objector, the task later became relatively simple. As already indicated the demands for men among the special projects eventually became much greater than the supply of volunteers. The selection of projects, the comparing of the needs for each program phase with those of another, became the problem of the Camp Operations Division in National Headquarters. However, it was here that proper public relations, availability of housing without rehabilitation costs, labor needs in relation to the war effort, and other factors had to be given increasingly serious consideration. This was much more the case as time went on than when the program first started and when the prime objective was to remove registrants exempted on the basis of objection from their home communities.

The general interest in the whole civilian work program became such that upon occasions National Headquarters was given very material but unexpected help by outside sources in the establishment of camps and projects. To give an idea of such assistance the pertinent facts in a few instances will be outlined. The examples chosen are by way of illustration only and do not necessarily constitute a typical sampling of the establishment of camps or projects or of the various avenues through which information or requests were received.

Examples of Outside Help

In one instance, information was received through a Federal agency of the possible availability for camp purposes of abandoned Civilian Conservation Corps buildings, in good condition, with all of the necessary equipment for their operation and maintenance. This advice continued by saying that a valuable forest-fire-fighting program was located in the immediate vicinity for which labor could not be provided due to its isolation, and that, in addition, a valuable research project not then provided with personnel was also situated near there. At about the same time the National Service Board for Religious Objectors made known its willingness to accept this particular site for the operation of a camp by either the Mennonite Central Committee or the Brethren Service Committee. After investigation, confirming the facts presented, the project was set up by Selective Service as work of national importance.

In another instance, a letter was received by the Director of Selective Service from the Director, Division of Territories and Island Possessions and the Administrator, Puerto Rico Reconstruction Administration, indicating that informal discussions had been had between representatives of that office and the National Service Board relative to the establishment of a public-health project. This appeared to be an excellent program and was, after examination, given approval.

As the hospital phase of the program was being established, a letter was received from the superintendent of a State mental institution, enclosing communications from the Governor of the State, the mayor of the city in which the institution was located, the Committee for Industrial Organization and American Federation of Labor representatives, the American Legion, and the Veterans of Foreign Wars. These enclosures pointed out the need for labor at the hospital and that the organizations writing would appreciate the establishment of a unit of conscientious objectors there; also that no public relations problems would be created by such action. After checking on the project, it was given approval.

In one case, a petition requesting the establishment of a camp was received through a Member of Congress. It set forth that a Civilian Conservation Corps Camp was being closed, that the project was nowhere near completion, that the State had appropriated $30,000 for the work, that the involved counties had appropriated an additional $20,000, that it was the most "important and beneficial work done in this part of the country for the past several years," and that in the event the project was continued many thousands of acres of agricultural land would be made available for cultivation and additional thousands improved. Statements were attached to the effect that veterans' organizations had been approached and had given a favorable response to an objector camp. Further, the Governor of the State wrote, expressing his approval. This request, upon investigation, proved to deserve a high priority and was likewise approved.

Statistics on Work Camps and Projects

A total of 151 camps were set up by the Director of Selective Service on individual orders.[10] Information regarding these projects is presented in Appendix G, Item No. 119. In this item all of the projects or camps are shown by number with the camp names, locations, operating groups, technical agencies, the camp capacities or authorized maximum strength, and the dates when the camps were individually approved and closed.

A true picture of the operation of the Civilian Public Service Camps is not easily derived, however, from figures on the number of such camps and other details. For example, all dairy-farm units were, for purpose of administration, placed under the camp No. 97 designation; whereas the work was actually carried on in 34 county units in 15 different States. And the dairy-herd testing program was officially known as camp No. 100 but it had units in 14 different States.

Camp No. 115 was assigned to the Office of Scientific Research and Development, and the Office of the Surgeon General of the Army had supervision of projects under the official designation of camp No. 140. However, there were 32 different units under the Office of

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[10] Appendix C, Item No. 4, Specimen Selective Service Order Setting Up a C. P. S. Camp.

Scientific Research and Development and 9 under the Surgeon General's Office. The various projects under these two camp numbers included epidemiological and other scientific research projects with such descriptive headings as malaria, jaundice, typical pneumonia, frostbite, starvation, altitude pressure, life-raft rations, poison gas, sea water, and hot and cold weather.

The Subdivision of Some Camps

A slightly different situation in most of the regular work camps caused some division of another type among them. This was particularly true in those under the supervision of the Forest Service, the National Park Service, and the Soil Conservation Service when it was necessary during given periods to set up smaller camps outside of the main camp areas. These were established at many outposts, especially during the fire seasons, to make it possible for men to get to critical districts as soon as possible. The use of these small camps also made it possible to accomplish more work in various situations, because of the elimination of excessive travel time.

Small camps, when composed of six or more objectors, were usually referred to as side camps. If they contained five men or fewer, they were generally called spike camps. Some of the main camps had as many as 12 of these side or spike camps, and at times registrants were even sent to other areas at the request of the regional headquarters of the technical agency assisting Selective Service in its camp operations. The transfer of objectors to the side and spike camps was, at the convenience of the technical agency, arranged between the operating church group and the technical agency and did not require the prior approval of the System.

Four of the Civilian Public Service Camps established on paper, that is, by the issuance of the usual orders, never in fact became active units. These were all hospital camps. The first three of them were not activated because of local opposition to the work. The other was authorized just prior to VE-Day and was never placed in operation due to lack of assignees.

The Discontinuation of Foreign Projects

In the course of events two foreign-relief projects were developed for conscientious objectors as a phase of the general civilian work program. They were discontinued in their infancy, however, by Congressional action. These units had been provided for by official orders and some men had been assigned to each at the time the work, part of which had been started here in this country, was interrupted.

One of these projects, to be located in Chunking, China, was to consist of rehabilitation, sanitation, nutrition, public health, and other services as designated by the Ministry of Public Health for the Government of the Republic of China. It had the prior written approval of President Roosevelt and of the Chinese Ambassador. The other prospect, a foreign relief and rehabilitation project, was to consist of pursuing courses of study, preparing data and materials and performing other work assigned by the Office of Foreign Relief and Rehabilitation Operations of the Department of State.

However, both of these projects met with opposition in the Congress and a restriction in the military establishment appropriation for the fiscal year ending June 30, 1944 (Public Law 108) resulted in their termination. This restrictive provision read as follows:

> *Provided further,* That no appropriation contained in this act shall be used for any expense pertaining to (1) the instruction, education, or training of class IV–E conscientious objectors in colleges, (2) the service of such conscientious objectors outside the United States, its Territories, and possessions, (3) the transportation of such conscientious objectors to or from any college or any such service, or (4) the compensation of military or civilian personnel preforming any services with respect to the matters set forth in (1), (2), or (3) above after the enactment of this act, except any services which may be necessary promptly to terminate any such class IV–E conscientious objector college or foreign-service projects existing on the date of the enactment of this act; [11]

This matter was fully discussed in Congressional Committees, with hearings held before both the House and Senate subcommittees of the Committee on Appropriations prior to the enactment of the bill (H. R. 2996). It was clearly stated that the intention of the restriction was to prohibit the foreign-service programs and the college-preparation programs incidental to getting ready for this particular foreign service. Similar riders were likewise attached to subsequent appropriation bills throughout the remainder of the war period.

Control of All Camps by Camp Operations Division

All of the Civilian Public Service Camps were under the general control of the Camp Operations Division at the National Headquarters of the System as previously indicated. They were operated under the authority of the Director of Selective Service according to regulations and orders promulgated by him pursuant to Executive Order No. 8675 of the President of the United States, issued February 6, 1941, and quoted above. Their direct supervision, however, was by that agency or department of the Federal Government primarily concerned with the project or projects being carried on by the camp. As regards the church-sponsored camps, their operation was under a dual system of supervision in which the project work was carried on by the camp superintendent, who was an employee of a governmental agency or department, while the camp life was conducted by a camp director selected by the sponsoring church group.

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[11] Public Law No. 108, (57 Stat. 347), 78th Cong., 1st Sess. (Washington: 1944), p. 4.

Operation of Camps by Various Religious Groups

Most of the church camps were operated by the Friends Service Committee, the Brethren Service Committee, or the Mennonite Central Committee. Others, however, were under the Association of Catholic Conscientious Objectors, the American Baptist Home Missionary Society, the Disciples of Christ, the Commission on Christian Social Action of the Evangelical Reformed Church, and the Methodist World Peace Commission. One project was even operated by the National Service Board for Religious Objectors itself. This fact is of no particular significance, though, because the project was simply an administrative expedient for permitting the assignment on "detached service" of a number of registrants to assist the Board in its camp activities work. Certain of the camps were cooperative, in that a number of religious agencies participated.

In the spring of 1943, it was decided to open up a few Government-operated camps for those assignees who objected to serving in camps under religious sponsorship. Some assignees had expressed a desire to be transferred to Government camps to relieve the churches of financial burden. There were also those who wanted such transfers in order to have a better opportunity for expressing their aversion to conscription. In the revised Special Form for Conscientious Objector (DSS Form 47), put into use at the time, registrants could indicate their choice of a religious or a Government camp.

The Government-operated camps were similar to the other regular work camps, except that the responsibility for both the work project and camp life was entirely assumed by the Federal Government. In other words, the Government in operating these camps had the entire responsibility for the general maintenance and sanitation of the camp and for the clothing, feeding, housing, medical care, supervision, and control as well as the work of the assignees.

A total of eight camps was operated by the Federal Government at one time or another. Four of these were at first conducted as church camps but later taken over by the Government. One was first sponsored by a church agency, but under a different number designation. At no single time were more than five such camps in operation, however.

A complete manual for camp directors was issued under date of May 10, 1944, by Selective Service.[12] This set forth the manner in which the general administrative directives applied to camps and detailed certain additional things or matters in which changes were to be made. A subsequent chapter will discuss at greater length the differences between church-operated and Government-operated camps.

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[12] Selective Service System, *Manual for Camp Directors: Government Operated Civilian Public Service Camps* (Washington: May 10, 1944.)

The Cooperation of Many Government Agencies

The technical agencies of the Federal Government in charge of regular work projects and the number of projects which each operated were: United States Forest Service (30), Soil Conservation Service (19), National Parks Service (9), Bureau of Reclamation (4), Farm Security Administration (2), Fish and Wildlife Service (2), and General Land Office (1). Special work projects constituted another category as has been seen and were under the direction of the following technical agencies or groups of agencies who operated the number of projects indicated: State mental hospitals (40), State dairy-farm units (34 counties), State training schools (17), Dairy-herd testing (14 States), Office of Scientific Research and Development (32), agricultural experiment stations (9), general hospitals (3), Veterans' Administration hospitals (3), Office of the Surgeon General (9), State health projects (2), Puerto Rico health project (1), Weather Bureau (1), Coast and Geodetic Survey (1), Hawaii (1), Alaska (1), National Service Board for Religious Objectors, detached service (1).

The Hawaii and Alaska units were not camps in the usual sense of the word. There were only two conscientious objectors in Hawaii and one in Alaska. In the joint interest of economy and convenience these men were assigned under special agreements to the National Park Service in Hawaii and to the Forest Service in Alaska.

Special Rules for Each Type of Camp

Although the Civilian Public Service Camps had more points in common than otherwise, there were special directives for certain types of projects. For instance, Administrative Directives Nos. 6, 16, 16R, 20, 21, 22, and 23, from National Headquarters[13] covered special agricultural work for the most part. Parts of the first four also governed the use of assignees in emergency farm labor. Administrative Directive No. 18, outlined the conditions under which men were assigned to research or "guinea pig," projects. Administrative Instructions, Nos. 1 to 4, covered the general administration of the hospital units.

The Uniqueness of the Civilian Work Program

As stated earlier, the entire civilian or camp work program for conscientious objectors was without much precedent in the United States. The administration and operation was somewhat experimental, and both the sponsoring church groups and the technical Government agencies concerned were in a sense pioneering in the field. Selective

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[13] Appendix D, Item Nos. 24–74, Organization Instructions, complete texts of all significant administrative directives and memoranda.

Service hampered neither the church groups nor the cooperating agencies with many regulations and rules. There was set up, however, a force of field representatives whose duty it was to coordinate the program for the System and to insure that the best possible use was made of the services of the assignees. These representatives had wide latitude in the settlement of misunderstandings or disputes at the camp or project level.

At the beginning of the civilian work program there were but few camp regulations and other written instructions. The latter were in letter and sometimes mimeographed form. After 6½ years of continuous operation only 31 administrative directives and 4 administrative instructions[14] had been issued directly affecting all types of work projects, that is, all phases of the program. Three of these dealt with discharge, 10 were replaced by revised issues in the series and some of the others had to do with demobilization or such matters as hours of work and holidays to be observed. Changes in the special Selective Service Regulations, directives, or instructions for camps were only made as a result of actual operations, usually as a result of the recommendations of the field representatives or as a result of conferences with interested groups called upon to improve project conditions.

In the hospital and agricultural phases of the program, particularly, meetings were necessary and unusually valuable for the reason that these projects had been set up on a much more "trial and error" basis than was true of the regular camps. In the latter, there were the precedents of the Civilian Conservation Corps to adapt, modify, and follow.

Two major conferences were held concerning the hospital and training school activities. These were attended by directors of State mental programs, superintendents of institutions, representatives of the National Service Board, staff members of the various cooperating church agencies, representatives of the United States Public Health Service, and members of the staff of the Camp Operations Division, National Headquarters, Selective Service. To one of these conferences also came conscientious objectors from the various institutions. At these meetings all of the approaches to the activity were discussed and in some instances revisions were made in the regulations or directives.

Much of the success attained in the hospital phase was attributable to the constructive work of the conferences which were also held on the agricultural activity. Representatives of the Department of Agriculture, the United States Employment Service, the church groups, and other organizations also met from time to time in conferences to improve operating conditions in the farm labor projects.

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[14] Ibid.

Résumé Statement

This kind of cooperation was largely responsible for the success of the civilian work program carried on by the conscientious objectors of World War II whose beliefs would not permit them to accept either combatant or noncombatant service with the armed forces. Although the Selective Training and Service Act of 1940 provided for it, the average American citizen was somewhat skeptical of an objector program on work of national importance under civilian direction. The concept was fairly new and the country had almost no experience in applying it. The whole proposition at first looked much like a special privilege or unwise arrangement for Selective Service registrants who were averse even to performing noncombatant duty with the Army or Navy of the United States in a time of emergency.

By the end of the 6½ years experience which the System had with the program, however, there was a marked difference in attitude throughout the country. A careful selection of work projects or activities and their location together with their skillful operation caused the demands for the program to exceed its facilities. This was the result of painstaking efforts by the National Service Board for Religious Objectors and other church organizations, of technical agencies in the Federal Government, such as the Department of Agriculture, and of the Camp Operations Division, National Headquarters, Selective Service.

Basically, the civilian work or work-of-national-importance program was a camp operation. Civilian Public Service Camps were set up for the program. At these camps the Class IV–E assignees were accepted from the local boards of the System, given fundamental training in camp life and work, observed for special aptitudes and tried out as to general cooperation with the program. Most of the camps, which numbered 151 in all, were sponsored by churches or groups of churches who had directors stationed at them to conduct what was termed the "camp life" of the units. The actual work was under superintendents, however, who were employees of the Federal agencies mainly concerned with the projects of the camps. A total of eight camps, however, were at one time or other operated entirely by the Government without any church sponsorship.

The regular work of the average camp was a single manual project like soil conservation, forestry service, or land reclamation, and the personnel of the unit was stationed in the camp all of the time. However, as the program developed many camps assumed more than one project, and the objectors on duty in them were dispersed throughout the area covered by the projects and even into adjoining or separate districts. Some camps even had no work project of the regular kind, their personnel all being engaged on special projects and numbers of them being on detached assignments. The special projects, several of which were highly specialized in nature, covered such widely different activities as hospital service, scientific research, and dairy-herd testing. Therefore the work-of-national-importance idea for conscientious objectors became a program with many phases or activities and resulted in a distinct and valuable contribution to the emergency effort of 1940–47.

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CIVILIAN PUBLIC SERVICE CAMPS FOR OBJECTORS

Beyond the civilian work program for Class IV–E objectors, the operation of its Civilian Public Service Camps during the national emergency of 1940–47 is also worthy of consideration. The Class IV–E registrant of Selective Service, as will be recalled, was one to whom any service in the armed forces, either noncombatant (Class I–A–O) or combatant (Class I–A) was a violation of conscience. When a local board of the System found him to be available for such duty and to possess a valid conscientious objection claim, he was, therefore, classified in accordance with the 1940 law and the general regulations for assignment to work of national importance under civilian direction. The establishment of the work program and the operation of the Civilian Public Service Camps was a practical effort to observe the dual approach of the law, first, that every liable and selected person should serve, an attitude held by the general public, and, second, that such duty must be within the confines of conscience, as advocated by pacifist and other churches.

Arrival of the Objector in Camp

When the conscientious objector arrived at the Civilian Public Service Camp after having been forwarded and furnished travel there by a local board, he reported to the camp director or his representative. In most instances, that is, except where the unit was Government-operated, the director was an employee of the church or church group sponsoring the camp as has been mentioned. Upon the assignee's reporting to the director his arrival was recorded and he was made acquainted with the camp personnel and the first things which he would be required to do. The camp director had already received by mail five copies of the assignee's Order to Report for Work of National Importance, DSS Form 50.[1] He therefore certified the arrival of the registrant in the space provided on the form and mailed four of the copies to the National Headquarters of Selective Service. The other copy was retained in the camp files.

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[1] Appendix F, Item Nos. 95 and 96.

In the event the assignee did not reach the camp within 48 hours after the date scheduled for his arrival by the local board, the director there was required to report such fact by air mail to the Director of Selective Service. Under no circumstances did the camp director communicate directly with a local board of the System.

An Additional Physical Examination

The first assignment of the objector at the Civilian Public Service Camp was to the camp doctor. The preinduction examination which the registrant had already passed was final insofar as his acceptance in camp was concerned. This supplementary examination was necessary to determine the acquiring of a communicable disease or a general physical or mental change between the time of the preinduction examination and the date of reporting to camp.[2] A complete record of the assignee's physical condition was made at the camp and sent to National Headquarters in cases where it was felt that there had been a deterioration in the man's condition since the preinduction examination. However, such men were necessarily retained in camp or hospitalized pending instructions from the Director of Selective Service.

Immunization Against Disease

With few exceptions all objectors were inoculated against typhoid and vaccinated against smallpox within 48 hours of reporting to a Civilian Public Service Camp. These inoculations and vaccinations were given by the physician in attendance at the camp. Upon completion, proper notations were made on the assignee's record at the camp headquarters. The few exceptions to this general practice were men who claimed their religious beliefs prevented immunization, and they were required to sign statements relieving the camp director and the System of all responsibility for failure to comply with the stipulation of the special Selective Service Regulations for camps in this regard.

Orientation and Issuance of Equipment

Before an objector was detailed to any specific duty he was informed about the camp regulations and about the minimum requirements of Selective Service and of the technical agency in charge of the work project. An orientation course was given in which information covering the relationship of various jobs to the work project and the overall program of the technical agency was given. Attendance at these meetings was mandatory on the part of assignees released by the camp director to a work project, unless specifically excused by the project superintendent. Rules of safety were given each registrant because the prevention of accidents and the encouragement of work safety were the main objects of this first training. In these orientation classes the men were acquainted also with rules governing leaves of absence, furloughs, health activities, and camp discipline.

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[2] The discussion here relates to practices during the latter years of the operation. Ch. VII has a more complete coverage of the problem of physical examination.

In the Government-operated Civilian Public Service Camps, that is, in camps having no church sponsorship, all assignees were given their full allotment of camp and work clothes during this early period. In the church-sponsored camps the objectors were supposed to have their own work clothes, but in the event an assignee did not have such clothes, he was fitted out by the church administration.

Special Assignments for Volunteers

When this orientation period was completed, a conscientious objector was assigned to the civilian work program according to his qualifications and the needs of the project or projects. Every effort was made to place a man in a job that suited his physical condition and education. Many skilled positions had to be filled and operators of special equipment were always in demand. However, most of the work consisted of ordinary out-door labor which required physically fit young men. There were experiment stations and special units in various parts of the United States, and these required men with special technical skills. After an assignee had worked 3 months in the original work camp he was considered eligible for the special units. Assignment to all special work was on a voluntary basis. It was necessary in each case for a registrant to indicate a desire for the special type of work and also to submit evidence of satisfactory mental and physical condition.

Undesirability of Premature Project Discussions

Although it was desirable to prevent such occurrence, upon occasions a feeling of unrest arose in the camps and special projects. This was due primarily to the interested church groups giving out information on the planning of additional projects before such projects had been accepted by the Director of Selective Service. In the event the planned projects did not materialize some dissatisfaction developed among registrants who had become prematurely interested in them.

A Handbook Description of Camp Life

Information in the camper's handbook of one Civilian Public Service Camp contained a good over-all view of the assignee's relation to the camp with particular emphasis on orientation of the new arrival. This was a church-operated camp and the booklet was the product of the operating agency, the Mennonite Central Committee. The handbook is quoted in its entirety, except for the table of contents and a two-page map of the camp grounds. Some condensation of the material has been made to conserve space, but the wording has not been altered:

FOREWORD

For some time it has been felt that a camper's handbook would be a valuable aid to men who transfer to our camp or such men as come as new assignees.

Our camp has now been operated by the Mennonite Central Committee since the first group of men came to open it October 21, 1942. Many things have happened in the period of time from then to now. It would be impossible to mention all of these and their importance to the life of this camp in the brief space available in this book. Many of the events have no importance other than that they were stepping stones to what we have now. Some of the things which we have now will serve a similar purpose.

While it is clear that with the changing of the personnel of the camp various minor adjustments have to be made, it shall be kept in mind that certain basic considerations are always present as Mennonite Central Committee concerns. Briefly, the following concerns should be mentioned:

1. That at all times, at work or at play, we live the life consistent to the convictions which brought us to camp in the first place. That calls for a positive Christian witness.
2. That so far as is consistent with the dictates of your conscience you cooperate with all existing agencies operating this camp. Your coming to camp indicates you are willing to do so.
3. That as far as possible, so long as it does not interfere with the operation of this camp, you be given the right to religious freedom and worship as your conscience gives you guidance.
4. That your individual physical needs be met wherever possible and consistent to group living.

To carry out these concerns is at best a man-sized task. We can never hope to accomplish them without your help. We are confident that we can count on you. With your help we may look to success.

History and Location of Camp

Our camp is one of many former CCC camps of this area. Most of these camps are now closed and dismantled. Our camp was one of the last ones to be built. As a matter of fact when it was taken over by the MCC, part of it had not been completed. It also served as a dumping place for many other of the CCC camps which had been ordered closed.

MCC took over this camp on October 19, 1942. The opening staff included: John Synder and Phil Frey, MCC; Paul G. Tschetter, Dale Nebel, Oscar Wiebe, Miss Marie Groening, and Miss Edna Peters. On October 21, 1942, a carload of assignees arrived from CPS No. 28, Medaryville, Ind. Two days later 97 new assignees coming from various midwestern States arrived. And so the picture has been changing ever since camp was opened.

Camp is located in Pennington County, S. Dak. We are about 40 miles due west of Rapid City and are truly "in the heart of the hills." We are about 2,500 feet higher than Rapid City and a little under a thousand feet higher than Hill City. Our elevation is 5,737 feet. Camp is located on Castle Creek. To the west of us is Flag Mountain which is said to be the third highest peak in the Black Hills and is right around 7,000 feet above sea level. We are about 15 miles northwest of Hill City.

The history of our camp would also include some reference to the Deerfield Dam which we are helping to build. The dam is to meet a twofold purpose, namely, to be a reservoir (8,000 foot-acres of water) for a much needed water supply for Rapid City, and be a reservoir (7,000 foot-acres of water) for the Rapid Valley irrigation project near Rapid City. The need for this water supply dates back to pre-World War I days, and has increased as Rapid City grew to industrial maturity. Irrigation farming, the State cement plant, the school of mines, mining operations, lumbering, and cattle grazing have all been factors in the growth of Rapid City. The original survey was undertaken about 5 years ago by the Bureau of Reclamation. Much of the preliminary work was done by WPA, CCC, and, just before our coming, private labor. Most of the work you see can be attributed to CPS labor.

DAILY SCHEDULE

NOTE.—This schedule must of course change from time to time and from season to season. It is given as a guide to the events for the day. The Sunday schedule is also different from the rest of the week. For changes and specific details watch the announcements.

6: 00 a. m. Rising signal (musical record over public address).
6: 20 a. m. First bell for breakfast (buzz saw).
6: 30 a. m. Breakfast (stand for "Grace").
7: 20 a. m. Work call (over public address and buzz saw).
7: 30 a. m. Trucks leave for project.
11: 45 a. m. Trucks leave project for camp and lunch.
12: 00 noon First bell for lunch.
12: 05 p. m. Lunch (maybe its "dinner" to you) ("Grace" as before).
12: 35 p. m. Work call (same as before).
12: 40 p. m. Trucks leave for project.
5: 00 p. m. Back in camp from the project.
5: 20 p. m. First bell for dinner (maybe "supper" to you).
5: 30 p. m. Dinner ("Grace" as before).
10: 15 p. m. First signal for lights out.
10: 30 p. m. Lights out for dorms.
11: 00 p. m. Lights out for overhead buildings.

ORIENTATION

NOTE.—All new assignees to camp are allowed 3 days of conditioning. This is for the purpose of acquainting you with your new environment. The following schedule is given so that you might know what is expected of you. In the case of transfers from another CPS unit, there is no 3-day conditioning period. However, we will arrange to take care of most of the items mentioned in the following schedule by having evening periods for the same.

ON DAY OF ARRIVAL

Assignment to bunk space; receiving Government-issued property; getting settled in your quarters; introduction to the men in camp during one of the meals of the day.

FIRST DAY OF CONDITIONING

8 a. m.: Report to camp administrative office; bring any unused meal and transportation tickets issued you by local board or otherwise; bring your DSS 50 (order to report to work of national importance); your ration books; any other papers which you think are important. These are to be given to chief clerk.

In the office attend to the following forms: Fill out DSS 50 and 221, chief clerk; signing property card, chief clerk; fill out NSB 107, chief clerk; fill out educational card, educational director; fill out NSB 128, educational director; fill out infirmary card, infirmary attendant; fill out preinduction occupational questionnaire, secretary to project superintendent.

11 a. m.: More time for getting settled.

1 p. m.: Tour of camp grounds and assignment of laundry number.

7 p. m.: Information on camp activities (10 minutes each). The laundry, camp publications, camp council, canteen and mail service, health and medical service, the mess hall, the business manager.

SECOND DAY OF CONDITIONING

8 a. m.: The education program, educational director (come in work clothes prepared to finish out the balance of forenoon at light work assignments).

1 a. m.: Medical examination, Dr. Hultz (you will be prepared to leave with the truck to go to Hill City for this examination. Further details available at the office).

7 p. m.: First "shots," camp nurse (if you cannot take these "shots" inform the camp nurse of this fact).

THIRD DAY OF CONDITIONING

7:30 a. m.: Report to office for light work assignment.

1 p. m.: Tour of the project, session with project superintendent at close of tour.*

7 p. m.: Informal session with camp director (his office).

SUGGESTIONS FOR CORPORATE LIVING

You no doubt see the necessity of understanding each other, when it becomes necessary for a large group of men to live together in rather close contact. In an ideal system where everything "clicks" it should not be necessary to have any rules or regulations. Unfortunately, no one is perfect nor is there a system which is perfect. Thus the necessity of an understanding.

There is another angle to our living together. Some of the things we are asked to do, do not lie in the realm of our own choice. In other words, because of the fact that Selective Service or the Mennonite Central Committee has a much larger over-all view of the general problem of administrating civilian public service, they may be called on or think it desirable for the program to ask of us certain things which we may not understand or wholly appreciate. So far as MCC is concerned, I am certain they will always wish to deal with you in the spirit of Christian love.

Locally, in those things which affect us and do not directly relate to general administrative policies determined by others, we wish at all times to be friendly, cooperative, considerate of all groups, helpful, and above all things Christian in spirit. To that end the camp staff has been placed here and to that end the camp council has been established.

It is quite clear that this type of living is of a much higher order than the "thou must do thus and thus" variety. It certainly appears to be more in harmony with the Christian spirit. However, no one will deny the fact that it is a much more difficult way. It assumes that you are honest in motive and purpose. It requires a constant self-discipline. It places group values ahead of personal gain. It emphasizes the positive characteristics of Christian living. IT IS YOUR CHALLENGE TO MAKE CPS MEAN SOMETHING TO YOU. Will you accept the opportunity?

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*Due to the uncertainty of the afternoon session, the entire afternoon session may be changed to another afternoon.

Statistics on Objectors in Camps

Complete statistical information showing the flow of registrants into and out of the Civilian Public Service Camps is presented in Table No. 8. This table and Table No. 17 in chapter XV which gives detailed information regarding the reasons for discharge by month of discharge, differ slightly from other statistics kept by the Camp Operations Division, National Headquarters, Selective Service. In developing this table the data were compiled as of the actual date of arrival in and departure from camp, except for objectors separated by reason of delinquency and men known as Civilian Public Service Reservists. Ordinarily, the statistics of the Camp Operations Division were kept according to the date when registrants were assigned by National Headquarters and when their discharge was reported to National Headquarters. It was necessary for the System, the churches or operating agencies and the Federal Government or technical agencies to have figures so based for planning purposes. Such data gave somewhat larger figures than those reflected in Tables No. 8 and 9, however, because on this basis assignees were counted as being in camp before the actual date of arrival and dischargees were counted as having left some time after actual departure.

TABLE NO. 8.—*Conscientious objector registrants entering and discharged from Civilian Public Service Camps by months, with camp strength figures for each month, May 1941 through March 1947*

Month and year	Number					
	In camp at beginning of month	Reporting during month	Discharged during month	In camp at end of month [1]	Accumulative total reporting to end of month	Accumulative total discharged to end of month
May 1941		45	0	45	45	0
June	45	573	0	618	618	0
July	618	62	2	678	680	2
August	678	348	20	1, 006	1, 028	22
September	1, 006	175	25	1, 156	1, 203	47
October	1, 156	183	122	1, 217	1, 386	169
November	1, 217	260	29	1, 448	1, 646	198
December	1, 448	197	26	1, 619	1, 843	224
Total		1, 843	224			
January 1942	1, 619	265	24	1, 860	2, 108	248
February	1, 860	234	16	2, 078	2, 342	264
March	2, 078	335	16	2, 397	2, 677	280
April	2, 397	67	23	2, 441	2, 744	303
May	2, 441	567	34	2, 974	3, 311	337
June	2, 974	457	21	3, 410	3, 768	358
July	3, 410	425	43	3, 792	4, 193	401
August	3, 792	266	41	4, 017	4, 459	442
September	4, 017	449	32	4, 434	4, 908	474
October	4, 434	484	71	4, 847	5, 392	545
November	4, 847	408	48	5, 207	5, 800	593
December	5, 207	319	52	5, 474	6, 119	645
Total		4, 276	421			

TABLE No. 8.—*Conscientious objector registrants entering and discharged from Civilian Public Service Camps by months, with camp strength figures for each month, May 1941 through March 1947*—Continued

Month and year	Number					
	In camp at beginning of month	Reporting during month	Discharged during month	In camp at end of month [1]	Accumulative total reporting to end of month	Accumulative total discharged to end of month
January 1943	5, 474	360	58	5, 776	6, 479	703
February	5, 776	211	71	5, 916	6, 690	774
March	5, 916	200	101	6, 015	6, 890	875
April	6, 015	158	101	6, 072	7, 048	976
May	6, 072	246	132	6, 186	7, 294	1, 108
June	6, 186	342	90	6, 438	7, 636	1, 198
July	6, 438	189	91	6, 536	7, 825	1, 289
August	6, 536	177	127	6, 586	8, 002	1, 416
September	6, 586	184	96	6, 674	8, 186	1, 512
October	6, 674	159	105	6, 728	8, 345	1, 617
November	6, 728	103	114	6. 717	8, 448	1, 731
December	6, 717	123	98	6, 742	8, 571	1, 829
Total		2, 452	1, 184			
January 1944	6, 742	153	81	6, 814	8, 724	1, 910
February	6, 814	136	80	6, 870	8, 860	1, 990
March	6, 870	179	87	6, 962	9, 039	2, 077
April	6, 962	132	65	7, 029	9, 171	2, 142
May	7, 029	135	65	7, 099	9, 306	2, 207
June	7, 099	160	55	7, 204	9, 466	2, 262
July	7, 204	222	52	7, 374	9, 688	2, 314
August	7, 374	171	50	7, 495	9, 859	2, 364
September	7, 495	165	50	7, 610	10, 024	2, 414
October	7, 610	138	47	7, 701	10, 162	2, 461
November	7, 701	162	43	7, 820	10, 324	2, 504
December	7, 820	136	39	7, 917	10, 460	2, 543
Total		1, 889	714			
January 1945	7, 917	141	34	8, 024	10, 601	2, 577
February	8, 024	155	30	8, 149	10, 756	2, 607
March	8, 149	186	43	8, 292	10, 942	2, 650
April	8, 292	104	57	8, 339	11, 046	2, 707
May	8, 339	122	73	8, 388	11, 168	2, 780
June	8, 388	154	47	8, 495	11, 322	2, 827
July	8, 495	109	72	8, 532	11, 431	2, 899
August	8, 532	73	45	8, 560	11, 504	2, 944
September	8, 560	78	26	8, 612	11, 582	2, 970
October	8, 612	67	138	8, 541	11, 649	3, 108
November	8, 541	41	643	7, 939	11, 690	3, 751
December	7, 939	40	809	7, 170	11, 730	4, 560
Total		1, 270	2, 017			
January 1946	7, 170	38	674	6, 534	11, 768	5, 234
February	6, 534	34	575	5, 993	11, 802	5, 809
March	5, 993	27	1, 016	5, 004	11, 829	6, 825
April	5, 004	26	588	4, 442	11, 855	7, 413
May	4, 442	18	776	3, 684	11, 873	8, 189
June	3, 684	32	779	2, 937	11, 905	8, 968
July	2, 937	1	552	2, 386	11, 906	9, 520
August	2, 386	0	638	1, 748	11, 906	10, 158
September	1, 748	24	448	1, 324	11, 930	10, 606
October	1, 324	14	346	992	11, 944	10, 952
November	992	2	140	854	11, 946	11, 092
December	854	2	464	392	11, 948	11, 576
Total		218	6, 996			
January 1947	392	1	23	370	11, 949	11, 579
February	370	1	11	360	11, 950	11, 590
March	360	0	360	0	11, 950	11, 950
Total		2	394			

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[1] Does not include Civilian Public Service Reserve.

Regular and Special Camp Projects

Various technical or Federal agencies used conscientious objectors on work of national importance during World War II as has been seen. By securing this labor assistance they were able to carry on important projects and functions to an extent that would otherwise have been impossible. Without such help some activities would have had to be abandoned. This was especially true in the experimental and scientific research fields.

It has been noted that all of the regular projects of the civilian or camp work program to which registrants were first assigned upon reporting to camp, were operated by different bureaus of the Department of Agriculture and Interior. In the Department of Agriculture there were three bureaus so engaged, namely, the Forest Service, the Soil Conservation Service and the Farm Security Administration. Bureaus similarly engaged in the Department of the Interior were the National Park Service, the Bureau of Reclamation, the General Land Office, and the Fish and Wildlife Service.

In addition to the regular projects there were also the special ones which were established beginning with March 1942. After camp assignees had served a reasonable time, that is three months on the regular ones, they were allowed to volunteer for service on the special projects. These special projects included units under the direction of the Agriculture Labor Administration and the Extension Service of the Department of Agriculture, the Coast and Geodetic Survey and the Weather Bureau of the Department of Commerce, the Office of Scientific Research and Development, the Office of the Surgeon General of the Army, the Public Health Service, the Puerto Rico Reconstruction Administration, and various State training schools and Veterans' Administration and State mental hospitals.

Distribution of Camp Assignees by Project

As previously stated, the Civilian Public Service Camp program began with all conscientious objectors doing the same general type of work as that formerly undertaken by the Civilian Conservation Corps. In fact, the majority of men were so engaged throughout the entire operation. At the time when the camps had their greatest personnel strength in the fall of 1946, it is true that more men were assigned to the special projects of mental hospitals and training schools than to any single regular project. However, registrants assigned to the Forest Service, the Soil Conservation Service, and the National Parks Service alone outnumbered the training school and hospital attendant group.

Table No. 9 has been prepared to show the number of men working under the different technical or Government agencies at the end of October in each calendar year. October was chosen because in that month of 1945 the camps were the largest in size of any time during the 6½ years of operation. Reference to this table gives a good general picture of the number of assignees by type of project for each year.

A great deal of effort was expended in the Civilian Public Service Camps to select the best qualified men for the special work assignments. This would not only benefit the project but it would also utilize the experience and knowledge of the objector to the maximum. In this screening process men were found who had the necessary schooling and experience to perform special tasks far beyond the work they were doing on regular projects. Some of them did not choose to volunteer for special assignments, however, and still others were not physically or mentally suited or did not have the cooperative attitude necessary to justify their transfer.

TABLE NO. 9.—*Conscientious objector assignees to Civilian Public Service Camps in regular work projects and special work projects at the end of October during each year 1941 through 1496*

Type of project and technical agency	Year and number					
	1941	1942	1943	1944	1945	1946
REGULAR WORK PROJECT						
Department of Agriculture:						
Forest Service	518	2, 152	1, 721	1, 591	1, 809	249
Soil Conservation Service	600	1, 924	1, 437	1, 189	1, 147	374
Farm Security Administration	--------	--------	304	265	266	1
Department of the Interior:						
National Park Service	122	436	538	744	698	116
Bureau of Reclamation	--------	39	428	428	455	30
General Land Office	--------	--------	178	124	133	10
Fish and Wildlife	--------	55	66	152	53	100
Total in regular work projects	1, 240	4, 606	4, 672	4, 493	4, 561	880
SPECIAL WORK PROJECT						
Agriculture Labor Administration	--------	--------	650	815	1, 123	49
Department of Commerce:						
Coast and Geodetic Survey	--------	--------	14	42	43	4
Weather Bureau	--------	--------	17	73	63	1
Health	--------	31	91	153	185	55
Hospitals	--------	143	1, 260	1, 885	2, 235	210
Scientific research:						
Office of Scientific Research and Development	--------	--------	44	156	224	5
Office of The Surgeon General, U. S. A	--------	--------	--------	--------	102	10
Miscellaneous	--------	--------	66	77	107	125
Total	--------	174	2, 142	3, 201	4, 082	459
Grand total [1]	1, 240	4, 780	6, 814	7, 694	8, 643	1, 339

[1] Includes Civilian Public Service Reserve.

Variations in Working Hours

When the first special Selective Service Camp Regulations were set up for the C. P. S. Camps it was provided that:

> The hours of work on the project at any camp will be determined by the technical agency. No limitation is set on the number of hours that an assignee may be asked to work in any given day or week.[3]

This stipulation was arrived at after several conferences between the Camp Operations Division at National Headquarters and the National Service Board for Religious Objectors. It was the opinion of the System and other Federal agencies that an 8-hour work day would be proper. However, some of the religious farm representatives were in favor of longer hours because of their "sun-up to sun-down" work background. The agreement finally reached was that each camp should set up its own requirements as long as they met with the approval of the technical or Government agency concerned with the work project or projects. Disputes in this regard were to be referred to the Camp Operations Division for final decision.

The camp regulations likewise specified that in addition to the regular hours of work the assignees would be subject to emergency calls by the project superintendent of the technical agency, at any time, for the purpose of fighting forest fires or for work in connection with other emergencies affecting life or property. The freedom which was thus given for local determination caused a wide variance not only in the number of work hours, but also in the time allowed for travel to and from projects and for lunch periods. Then as the assignees of the various camps became acquainted with one another and began to exchange correspondence, complaints arose among those who found themselves in camps requiring longer hours. This led to the issuance of the following instructions:

> Beginning March 1, 1942, and continuing until further notice, assignees will be lined up available for turn-over to technical agencies at 7:30 a. m. daily. They will be under the supervision of the technical agency until they are returned to camp at 5 p. m. The hours 7:30 a. m. to 5 p. m. daily include all necessary travel time, and three-quarters of an hour should be allowed for lunch.
>
> On Saturdays the hours of work shall be from 7:30 a. m. to 12 noon, but the superintendent may turn back to the camp director not to exceed 25 percent of the men turned over at work call for camp duties, and the superintendent may use such additional men as he sees fit for project work at the camp site. Men turned over to the camp director for camp duties will work the same hours as the men in the field, and their labor will be properly supervised by the camp director or his authorized representative.
>
> The foregoing hours of labor will in no way affect the liability of assignees for emergency calls by the project superintendent at any hour of the day or night for work of an emergency nature.[4]

These new working hours were observed until the end of the year 1942, when, in accordance with the President's request that all Federal agencies work a minimum of 8 hours per day for 6 days per week, the instructions to the camps were again changed. Under date of December 31, 1942, the following mimeographed memorandum was sent through channels to all camp directors and project superintendents of the C. P. S. Camps:

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[3] *Selective Service Regulations, First Edition, Camp Regulations,* (Washington: 1941) par. 10, p. 6.

[4] From a letter addressed to Mr. Paul Comly French, Executive Secretary, National Service Board for Religious Objectors, February 16, 1942, by Col. Lewis F. Kosch, Chief, Camp Operations Division, National Headquarters, Selective Service System, Washington.

> Subject: Hours of Work:
>
> In accordance with joint resolution of Congress No. 171, Executive Order No. 9289, and the President's request that all Federal agencies work a minimum of 8 hours per day 6 days per week, previous instructions concerning hours of work are hereby rescinded and the following will apply.
>
> Beginning January 2, 1943, or as soon thereafter as these instructions are received and continuing until further notice, the hours of work in Civilian Public Service Camps will be from 7:30 a. m. to 5 p. m. Monday through Saturday of each week except for such holidays as may be authorized for Federal employees. The hours 7:30 a. m. to 5 p. m. daily will include all necessary travel time and 1 hour to be allowed for lunch.
>
> On Saturdays, the superintendent may turn back to the camp director not to exceed 25 percent of the men turned over at work call to be used for the day on camp duties. Men turned over to the camp director for camp duty will work the same hours as the men in the field, their labor being properly supervised by the camp director or his authorized representative.
>
> At the discretion of the project superintendent the above hours for beginning and ending work may be reasonably modified to meet local variations in hours of daylight and in those camps where the project requires that work be done in shifts, changes may be made to meet such conditions providing the total hours or days per week remain the same. Neither will the foregoing hours of labor in any way affect the liability of assignees for emergency calls by the project superintendent at any hour of the day or night for work of an emergency nature.[5]

Administrative Directive No. 5[6] was issued January 15, 1943 to cover this matter. It used almost the same words as the circular quoted above, but noted the fact that the provisions of the directive would not apply to hospital and other special units. In this latter connection it was provided that registrants assigned to such hospitals and units would work the same hours as the regular civilian employees stationed therein.[7]

After VE- and VJ-Days, working hours in the Federal Government were reduced to 44 hours per week and the hours of work in the C. P. S. Camps were similarly adjusted by Administrative Directive No. 27 issued August 17, 1945. This was soon followed by Administrative Directive No. 28 on August 29, 1945, which made a further reduction to 40 hours per week. Each of these directives also made certain minor adjustments in the matter of lunch periods, travel time, and the like.

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[5] Mimeographed letter from National Headquarters, Selective Service System, Washington, December 31, 1942.

[6] Appendix D, Item Nos. 24–74, all administrative directives and memoranda.

[7] Administrative Directive No. 1 was replaced by Administrative Directive No. 3 and, on February 1, 1945, by Administrative Directive No. 4. Each made similar provisions regarding the hours of work of assignees in hospital and special units.

Administrative Directive No. 29, issued August 29, 1945, made provision for the observance of holidays. Previous provision had been for the observance of such holidays as were generally authorized for observance in the Federal Government. During the war period Christmas, however, was the only day so observed.

Monetary Allowances to Objectors in Camps

At the beginning of the civilian work program no consideration was given to providing allowances of money to the assignees in the Civilian Public Service Camps. However, it was soon recognized that as a result many were faced with some privation. For one thing, their personal appearances indicated a need for such articles as toilet and shaving soap, razor blades, tooth powder, brushes, combs, shoe polish and similar items. In March 1942, the churches sponsoring the camps decided to give each assignee $2.50 per month for such personal necessities. This became the general rule for a period of about 18 months, when two of the sponsoring churches raised the amount to $5 per month. In Government-operated camps, it should be added, the allowance was always $5 per month for each assignee.

The Housing of Camp Assignees in Barracks

The assignees in the work camps were usually housed in barracks that accommodated 40 or 50 men each. As a general rule each camp unit had four or five barrack buildings which took care of from 150 to 200 men. The units ordinarily had, in addition to these buildings, an administrative building, a mess hall, a kitchen and a pantry. One of the barracks or another suitable building was usually set aside for religious purposes. There were also education, recreation and storage buildings, bath houses, latrines, and laundry facilities. Adjoining these were the technical service buildings comprising administration and storage buildings, garages, tool sheds and repair shops.

Medical Care and Sanitation

Each C. P. S. Camp had a physician who was responsible for the health of the objectors stationed there. Arrangements were made with the nearest local hospital of suitable nature for assignees to be admitted upon the order of the camp doctor. The camp director along with the doctor was responsible for holding a daily sick call and the doctor was available at all times for an emergency call.

The sanitation of the camp unit was the responsibility of the camp director, with the advice of the camp doctor, and the unit was subject to inspection from time to time by representatives of the United States or State Public Health Service. The minimum standards of sanitation were the same as those applicable to the units operated under the Civilian Conservation Corps.

Food Service in the Camps

Considerable difficulty was experienced with the camp mess in the early days of the operation. This was due to a number of factors. One was the inexperience of the men who were given kitchen duty. There were few trained cooks among assignees. Then, too, the dietitians in the camp units at first were not experienced in feeding men on work projects. Government rationing of certain foods added to the problem. The camps, being classified as institutions, had small rationed food allowances per assignee. This created considerable difficulty because the objectors in the camps were doing hard manual labor for which the food requirements were greater than those of ordinary civilian work. In addition the camps were often not popular with local merchants and frequently even authorized articles on ration could not be procured. The distance from large markets was another handicap for many units.

However, the food situation improved in most camps as a result of experience. Schools were established to which cooks, bakers, and dietitians were sent, and manuals and cook books were provided. Pressure was exerted upon the sponsoring agencies to increase the daily food allowance for each man. The raising of this allowance from 30 to 40 cents per day in several units made a material difference. In such connection it should be pointed out that the money allowance for food was supplemented in most cases by produce from a camp garden or farm and by donations from associated churches and individuals.

In the administration of the camps there was an understanding between the church representatives and the technical agencies that when it was necessary to send registrants out in small groups of six or more to the side camps in isolated areas the cost of feeding these groups would be the joint responsibility of the church and technical agency. At the side camps, cost figures were kept, and the technical agency met the expenses which were over and above the food allowance at the main unit.

At spike camps which were the small sub-units consisting of five men or less, the assignees were considered on detached service from the main camp and the technical agency provided the entire cost of subsistence. When objectors from the main unit were detailed to other areas or special duty the technical agency provided all travel expenses, food and shelter. In the Government-operated camps the men were given food allowances on the same basis as those serving in the Army, except that the per diem allotment was certified to the camp director for each succeeding month on the basis of the actual per diem expenditures of the Army for the preceding month.[8]

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[8] For additional information reference should be made to Administrative Directives Nos. 1, 3, 4, 16, 18, 20, 21, 22, Appendix D, Item Nos. 24, 26, 27, 39, 42, 44, 45, 46, respectively.

Laundry Service

One of the greatest problems of the camps at the start was the washing and ironing of clothing and bedding. Many camp units had small commercial laundry equipment left over from Civilian Conservation Corps days. Such equipment was operated by the registrant assignees of the Civilian Public Service Camp and usually a crew of three did the washing for the average size camp. Under ordinary circumstances ironing services were also limited, though there was no restriction on the number of rough dried work articles laundered in spite of the problem of washing facilities.

Commercial laundry equipment was not available for purchase during much of World War II and many camps therefore used two or three family-sized washing machines. However, this light equipment was not satisfactory for the hard and continuous use demanded of it. Motors and bearings were a constant source of trouble and there were often long delays in repairing them. Some of the camps designed and constructed their own laundry equipment which proved more satisfactory.

Provisions for Education

The general educational program for objectors who were assignees to the civilian or camp work program, was the responsibility of the camp director; special on-the-job training, however, was carried on by the project superintendent. Administrative Directive No. 17, issued October 1, 1943,[9] amplified section 691.15 of the special Selective Service Regulations for camps[10] and outlined the job-training and orientation which were within the province of the project superintendent, and the additional technical training which was the responsibility of the camp director. In addition, many of the camps had more or less definite programs of elective educational study and work project training. It was therefore suggested in Administrative Directive No. 17 that project training activities be placed in the hands of an assignee selected for that purpose by the superintendent after consultation with the director.

The Providing of Recreation by Church Groups

The sponsoring or operating agency, through the camp director, was responsible for all of the recreational activities at the camp unit during the off-hours from work. As a rule, each unit had a recreational supervisor who arranged programs of sports. Most camps had papers, magazines, and books. Practically every camp had a motion-picture projector, and moving-pictures were shown each week. When transportation was available sight-seeing trips were made to points of interest within the area where the units were located. In the Government-operated camps a special welfare allowance was provided by the Government partly for recreational purposes. It amounted to $1 per man per month for the first 100 of a camp and 50 cents per month for all over that number. However, the use of Government vehicles for recreational purposes was prohibited.[11]

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[9] Appendix D, Item No. 41.

[10] Appendix B, Item No. 3.

The Providing of Religious Services

In the church-sponsored camps all of the religious activities of objectors were under the supervision of the camp director. The camp units had regular services on the Sabbath and Holy Days and these generally were in charge of the church administration represented at the particular camp. However, the assignees at a given unit might belong to several different religious denominations and so groups of registrants who desired a service conforming to their church beliefs, when such were not available, usually made arrangements of their own at the camp. Each man was likewise given the privilege of attending any local church in the community where the unit was located, and the use of Government vehicles for this purpose was authorized. In the Government-operated camps an attempt was made to provide religious services through a chaplain from the Federal Council of Churches of Christ. This plan did not succeed very well due to lack of interest on the part of the assignees in such camp units.

Furlough Privileges of Camp Assignees

The assignees in objector camps were given similar privileges to those of the enlisted men in military or naval service as far as absences from camp were concerned. Liberty or leave during nonworking hours or on nonworking days and furlough from camp for periods including working time was provided. Provision was also made for absence from the camp unit in a sick or illness status. These matters were subject to control by special rules and by the camp director. The rules were set up in Administrative Directive No. 7. They were later revised by the issuance of Administrative Directive No. 31 on October 10, 1945.[12] It should be added here perhaps that the suspension of the privilege of absence from camp or the reduction of furlough time were the only measures which could be taken by a camp director for disciplinary purposes.

Assignees Eligible for Transfer to Special Projects

Assignees to Civilian Public Service Camps were eligible for transfer to special projects and units after they had served at least three months in a regular work camp and demonstrated that they were qualified for special assignment. In most cases of this kind, a representative of the special unit would visit the work camp to select from applicants those whom he felt had satisfactory qualifications. When selections had been made by him, applications for transfer were forwarded to the Camp Operations Division at National Headquarters, and, if they were approved, the transfers were then effected.

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[11] Paragraph 3 (f), of Administrative Directive No. 1, Appendix D, Item No. 24.

[12] Appendix D, Items Nos. 30 and 55.

When transfer was made at Government expense, it was under the general provisions of sections 608.44 and 608.45 of the special Selective Service Regulations for camps. Prior to July 20, 1945, the transportation accommodations furnished assignees were similar to those furnished to military personnel. Due to the large military movements at that time, however, it became necessary to make some modification of previous policy. Special instructions issued that date were as follows:

1. In view of the extreme shortage of pullman cars, it is deemed necessary to curtail pullman travel for assignees being transferred or discharged.

2. Effective this date, transportation for assignees being transferred or discharged will be provided on the following basis:

(*a*) On journeys of 48 hours or less, coach travel will be provided.

(*b*) On journeys of more than 48 hours, the usual pullman accommodations will be provided, if available. Tourist class accommodations will be used whenever possible.

3. When assignees have been ordered to transfer and where pullman travel is allowed but where such accommodations cannot be secured, assignee will proceed by coach on the date ordered for start of travel from camp, farm, hospital, or special unit.

4. In order to relieve the pressure upon railroad transportation, bus transportation, if available, will be utilized on all travel of short duration.

5. The foregoing rules will control all travel of assignees in hospital, "guinea pig", and farm units as well as camps.

National Service Board for Religious Objectors

In a preceding chapter brief mention was made of the origin and early history of the National Service Board for Religious Objectors and its relationship to the civilian work program. This central administrative agency functioned throughout World War II on the behalf of conscientious objectors, specifically as a representatives agency for various churches, societies, and other groups composed of, or interested in, the objector registrant of Selective Service.[13] One of the services rendered by the Board was the issuance of a *Camp Directors Manual.* This provided a handy reference source of information regarding the specific regulations and administrative procedures under which the Civilian Public Service Camps operated. The purpose of the National Service Board was set forth in the following paragraphs taken from a foreword of the *Manual:*

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[13] The consultative council of the Board, for instance, was composed of these groups: Assemblies of God: General Council; Baptists: American Baptist Home Mission Society; Brethren Service Committee; Christadelphian Central Committee; Christadelphian Service Committee; Church of God: Indiana Church of God: Seventh Day; Congregational Christian: Committee for Conscientious Objectors; Disciples of Christ: Department of Social Welfare; Dunkard Brethren Church; Episcopal Pacifist Fellowship; Evangelical Church: Board of Christian Social Action; Evangelical and Reformed Church: Commission on Christian Social Action; Evangelical Mission Covenant; Fellowship of Reconciliation; First Divine Association of America, Inc.; Friends: American Friends Service Committee; Jewish: Central Conference of American Rabbis Committee on Conscientious Objectors, Jewish Peace Fellowship, Rabbinical Assembly of America; Lutheran: Augustana Lutheran,

> In order to facilitate administration, the interested groups organized the National Service Board for Religious Objectors to function as a liaison agent between the sponsoring groups and the men in the camps on the one hand, and, on the other, the Selective Service System and the several governmental agencies.
>
> The staff in Washington seeks to interpret the philosophy of conscientious objectors to the Government and to express the attitudes of Government officials to the administrative agencies and the camps.[14]

Objectors on Detached Service

As already indicated, the National Service Board actually operated but one camp itself. This project was an administrative expedient for assignees which the Board was permitted to use on detached service in Washington to assist in its camp activities work office. It included certain objectors allotted for the use of the American Friends Service Committee at its headquarters in Philadelphia, the Brethren Service Committee, at Elgin, Ill., and the Mennonite Service Committee, at Akron, Pa. After VE-Day these three committees became extensively engaged in relief work in Europe and permission was granted for some of their detached service registrants to work in other places preparing food and clothing for shipment abroad.

Out of the 151 Civilian Public Service Camps, the Friends and the Brethren church groups operated about 30 each, the Mennonites, nearly 60, and the remainder were operated by scattered church groups or by the Government. The National Service Board and the sponsoring or operating groups, or the operating groups working through the Board, cared for the personal needs of the assignees while in the camp units. They carried out the general policies of Selective Service and brought to the System requests for changes in policy. They provided the administrative personnel for the camps and also raised funds for the church-operated units, except to the extent that governmental assistance was granted.

F. O. R., Lutheran Peace Fellowship, United Lutheran Church in America, Board of Social Missions; Megiddo Mission; Methodist: Commission on World Peace; Mennonite Central Committee; Molokan Advisory Board; Peace Association of Christian Scientists; Pentacostal Church, Inc.; Pentecostal Assemblies of Jesus Christ; Presbyterians: Committee on Presbyterians in C. P. S.; Reformed Church in America; Seventh-Day Adventists: War Service Commission; Unitarian Pacifist Fellowship; United Brethren; Women's International League for Peace and Freedom; and Young Men's Christian Association. The Federal Council, Churches of Christ in America, Committee on the Conscientious Objector was a consultative member.

[14] National Service Board for Religious Objectors, *Camp Directors Manual* (Washington, rev. July 1, 1943). Mimeo.

In a church-operated unit the camp staff usually consisted of a director, assistant director, certain supervisors, a nurse and a dietician. In addition, the camp director was allowed to retain a certain number of assignees for administrative and housekeeping duties. This was provided for in section 691.2 of the special Selective Service Regulations for camps, and detailed instructions were issued in Administrative Directive No. 4, January 15, 1943. This was replaced by Administrative Directive No. 30, October 10, 1945.[15]

National Service Board Assistance in Assignment

The National Service Board also served as a clearing house for the assignment of conscientious objectors to Civilian Public Service Camps. When the Camp Operations Division at the National Headquarters of Selective Service received a Conscientious Objectors Report (DSS Form 48) indicating that a registrant in Class IV–E had been called for civilian work, the man's name, together with a statement indicating his preference for a church- or a Government-operated camp, was submitted to the National Service Board. The Board thereupon sent the man a copy of its pamphlet, "The Conscientious Objector under the Selective Training and Service Act of 1940" which presented the background of the civilian work program and gave considerable information on the types of projects available and the methods of assignment to them. It contained specific instructions about what the man should take to camp with him and some details regarding what would occur upon his arrival. The Board also sent the objector a Questionnaire (NS 101) on which he was to submit information about himself and his wishes concerning camp assignment. After reviewing the information contained in this Questionnaire and consulting with the individual's church organization, the Board made a recommendation to the Camp Operations Division regarding the camp to which the registrant should be assigned.

Federal Ownership of Property and Equipment

Most of the property and equipment at the objector camps belonged to the United States Government. It had been acquired by Selective Service through the liquidation of the Civilian Conservation Corps. When the National Service Board for Religious Objectors took over the administration of a camp, arrangements were made whereby the National Service Board could accept as a loan from the System whatever property was available for housing and other purposes.

The Camp Operations Division set up a system of accountability and the National Service Board provided a bond in the amount of

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[15] Administrative Directive Nos. 4 and 30, Appendix D, Item Nos. 27 and 54.

$500,000 to cover the transfer of and responsibility for this Government property. The Division, however, assumed the loss of all equipment worn out through normal work activities. When the field representatives of the Division visited the camp units they acted as property inspectors and examined all worn out items. If the condition was the result of normal project work, the inspector would recommend to the property officer of the Camp Operations Division that the worn out items of equipment be dropped from the records of the Board without cost to the sponsoring religious group.

When property was lost or damaged and there was a question of negligence, it was necessary to make a survey. Information and facts surrounding the misuse or disappearance were gathered and studied for the purpose of fixing the responsibility. If it developed that reasonable care had been exercised, the religious agency was released from responsibility.

When the evidence indicated carelessness or theft, the shortage was charged to the National Service Board. After the camps had all been closed, the entire outlay of property and equipment had been accounted for with the exception of items valued at approximately $11,500. This amount was billed to and paid for by the Board. On the basis of the gross number of men housed in Civilian Public Service Camps, the loss amounted to less than a dollar per man for the entire period of occupancy.

Safety Regulations

At the beginning of the civilian work program it was decided that the safety regulations established during the Civilian Conservation Corps operation would likewise be satisfactory for the Civilian Public Service Camps. Copies of *Civilian Conservation Corps Safety Regulations* were made available to all project offices in sufficient quantities so that a copy could be placed in the hands of each foreman and other key employee.

Suggestions and instructions were issued to camp superintendents and directors from time to time amplifying and defining more specifically the safety regulations for matters peculiar to the Civilian Public Service Camps. Instructions were released also upon occasion to clarify reporting and other procedures incidental to the safety program.[16]

All accidents resulting in injuries to assignees, loss of life, or damage to or destruction of property were considered the responsibility of the supervisory personnel of the technical or Federal agency, if the accident occurred during working hours. An employee responsible for the enforcement of safety regulations was subject to disciplinary action if it was shown that the accident could have been prevented by the exercise of proper vigilance on his part. The camp director was held responsible for all safety measures during the time the assignees were not actually working on the project or projects of the technical agency.

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[16] Administrative Directive No. 9, issued April 15, 1943, and Administrative Directive No. 13 issued April 12, 1943, Appendix D, Item Nos. 31 and 35; also the Daily Report of Treatment, Ill or Injured Assignees (DSS Form 51–A) and Report of Illness or Injury (DSS Form 51–B), Appendix F, Item Nos. 88 and 89.

In the opening months of the civilian work program, the technical agencies experienced a great deal of difficulty regarding matters of safety due to indifference on the part of assignees. Because of this and to give himself assistance in this regard the camp or project superintendent appointed a safety assistant. This assistant was usually selected from among the assignees. He was expected to be a man of mature judgment and capable of obtaining the cooperation of the other objectors. He was to devote his entire time and effort to safety measures and it was hoped that he would be more effective with the assignees themselves than would the representative of a technical agency. The result was that in camps where there were assignee safety assistants the frequency of accidents was much lower than in units where the objectors could not be interested in permitting one of their own number to take this responsibility.

Duties of the Assignee Safety Assistant

The duties of the assignee safety assistant at a C. P. S. Camp were in general as follows:

1. To keep a close check on equipment and working conditions from a safety standpoint through a weekly general inspection made in person. The superintendent also designated various project employees to report regularly to the assistant regarding equipment, working conditions, and other safety matters.
2. To advise the superintendent each week of the results of his personal inspection and these employee reports.
3. To discuss with the heads of various crews the hazards which might be encountered when a new project was about to be initiated.
4. To make periodic inspections of the various work projects at the request of the superintendent. The time set for such an inspection was at the discretion of the superintendent since it required the assistant to be away from his regular job for a short period.
5. To prepare monthly reports on Report of Illness or Injury (DSS Form 51–B) and submit copies to the project superintendent for transmittal to the proper authorities.

6. To make narrative reports of all accidents charged to the technical agency which reports were to be kept available for inspection in the camp files.

7. To submit a monthly report of his activities to the superintendent in order to obviate the possibility of overlooking important phases.

8. To act as chairman of a safety advisory committee, and to assist the superintendent and the foremen in conducting a mass safety meeting of assignees each month.

Allocation of Accident Costs

All expenses incidental to accidents and sickness were the responsibility of the churches in camps which they operated even though the accident or sickness may have occurred on a work project. In the Government-operated camps, the Government assumed this responsibility. Where the Government became involved in paying for medical and dental care, the schedule of fees of the Veterans' Administration was used for purposes of reimbursement. The Camp Operations Division adopted the Veterans' Administration schedule for the reason that it was believed to be based upon a broader and more representative experience than that of any other agency.

Special Safety Emergency Units

Special safety emergency units or crews of objectors were organized, trained and made available for disaster relief in the Civilian Public Service Camps. These were also available to communities within a 100-mile radius of camp locations. The services of such assignees were offered to the Director of the Office of Civilian Defense where their use was desired by a local authority of this agency. Emergency units were not assigned to definite communities, in instances of this kind, but any civilian defense council could request the assistance of a unit for use in emergencies which arose in connection with any disaster.

The special safety emergency units organized in a camp for this purpose consisted of a leader, two truck drivers, one mechanic, six first-aid men, four cooks and assistants, six stretcher bearers and four utility workers. Each unit had the necessary transportation facilities, stretchers and first-aid kits and such other equipment and supplies as could be assembled and maintained. The names of registrants selected for these units were made a matter of record by the camp director.

The crews of the emergency units were prepared to give assistance in rescue work, in demolition and clearance, road repair, and emergency feeding and housing. They were available for the use of evacuation authorities and in rendering first aid, if needed. The statistical reports received from the camps located in the Midwest indicated that 15,490 man-days were actually contributed by the units in relief work following such disasters as tornadoes and floods in various communities.[17]

Objectors Assigned to Special Hospital Projects

Turning from the operation of Civilian Public Service Camps as regards regular projects of the civilian work program, to their functioning with reference to special projects it can be said that men assigned to care for the mentally ill in hospitals and training schools were given the same food, provided the same quarters, had the same laundry service and worked the same hours as the regularly appointed personnel of these institutions. It would have created many administrative and other difficulties to have handled regular employees in one way and conscientious objectors in another. For one thing, work schedules would have been impossible to maintain under such an arrangement. Assignees doing this type of work were provided a monthly allowance of $15 by the institution which they were expected to use in providing themselves with clothing, other than uniforms required by the institution, toilet articles, and other miscellaneous items. Originally the allowance was $2.50 per month with the institution being required to provide clothing and toilet articles. However, experience proved this to be impractical of administration due to varying State laws, regulations or restrictions. Dental, medical, or hospital care necessary to keep the assignee fit for work was also provided by the institution.

In most institutions of this kind registrants were given immediately upon their reporting, an intensive training under the direction of physicians, nurses, and attendants. Naturally, some of the institutions went much further than others in this direction. The resultant efficiency of the objector, however, was a clear reflection of the intensity of the training provided.

A conscientious objector was usually appointed by the hospital superintendent as an assistant director of the group of assignees stationed in the institution. The superintendent himself served as the director. It might be added that among the duties of the assistant director was to keep a record of leaves, furloughs, and a "check-out" book which accounted for the time each assignee left and returned to the institution. It was possible for the institution head to stop a registrant from leaving the institution grounds if conditions warranted. This was seldom done, however, and hardly ever without first obtaining the permission of the Camp Operations Division. The assistant director was also charged with the responsibility of the educational and recreational activities for the men assigned to the hospital. The cooperating church groups assisted in this regard and often definite training in foreign relief, missionary work, language, psychiatric care or other subjects was an additional inducement for men to volunteer for special project work in a particular institution.

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[17] Appendix E, Item Nos. 75–82.

Special Food Production Work

Conscientious objectors who volunteered for and were assigned to special food production work on dairy farms, in dairy herd testing or at experiment stations were provided with an allowance of $15 per month, paid by the employer. This amount was to provide them with clothing, toilet articles and other necessities. In addition, they were covered by insurance against death and accident and were given essential dental, medical, and hospital care. The last mentioned expenses were met from wages paid by the employer. It has previously been explained that the farmer, the herd-testing association or the institution using the special services of assignees in these ways paid the prevailing wages established by a county wage board. The expenses referred to above were deducted from these wages and the balance deposited with the United States Treasury in a special fund.

Men assigned to special farm labor projects worked the hours observed by similar labor in the particular community of their location. Provisions were made for them to attend church services of their choice in near-by cities or towns. A system of furloughs, of shorter duration than in the regular camps, was provided.

Scientific Experiment Activities

Perhaps the special projects for which the fewest instructions were issued by the Camp Operations Division were those where objectors volunteered and were assigned as subjects of scientific experimentation. These projects were often referred to as "guinea pig" activities and their very nature precluded the issuance of directives. Registrants so assigned were expected to be on continuous duty under constant surveillance for the entire period of the actual experiment. This was in order that the effects of the experimental use of various foods or drugs could be continuously observed. The supervision required for experiments of this nature made it necessary for assignees to be placed entirely at the disposal of the project director. The director controlled the hours of experimentation and of recreation or leisure and decided when it was desirable to give the men "recuperative" furloughs. However, before a special project of this kind was set up the technical agency agreed that the assignees would be paid a $15 monthly allowance for clothing and other needs; that they would be provided with food, special clothing and laundry; and that they would be covered by insurance to cover any hospital or medical care. It likewise assumed the responsibility for dental care, while the man was under its direction.

Another plan for administration was developed for men assigned to special projects under the direction of the United States Coast and Geodetic Survey. These involved mobile camp units operating in several States. The technical supervisors, as well as the assignees, had to furnish themselves with meals, laundry and certain facilities. Housing, in the form of tents or trailers, as well as cots and bedding were supplied by the Survey. It was necessary, however, to provide the conscientious objector with funds which he could use to secure other necessary facilities. To take care of this a per diem arrangement was worked out which enabled the assignee to provide himself with food, clothing, laundry, insurance against sickness and accident, and incidental expenses. This per diem allowance was subject to change in order to meet local conditions.

Other Special Projects

It would appear that with each new type of special project developed, it became necessary to set up a new system of administration to take care of the needs of assignees and yet at the same time comply with the rules, laws and regulations under which the technical agency functioned. In the case of registrants assigned to the United States Weather Bureau project, they were generally considered much the same as men in regularly operated camps when it came to food, quarters, laundry, hours of work, furloughs, recreation and education. However, they were provided by the Weather Bureau with $15 per month, and from this supplied themselves with clothing, toilet articles, sickness and accident insurance, and other necessities.

With respect to the public health group of special projects in Florida, Mississippi, and Puerto Rico the interested church groups defrayed most of the expense. In Puerto Rico the territorial authorities provided quarters but all traveling expense to and from the island and food, clothing, and allowances were supplied by the church groups. There were no Federal contributions of any kind. In Florida and Mississippi the State health authorities provided housing, material, and equipment with which to do the work; Selective Service loaned beds, bedding, kitchen equipment and certain housekeeping supplies; and the church groups provided the assignees with all other requirements.

Special Projects in General

While the foregoing indicates the many and varied conditions under which special projects operated, one general requirement prevailed.

When a conscientious objector had volunteered and had been accepted for service on a special project, the transportation expense from the original camp to the point of new duty was the responsibility of the technical agency operating the project. When a registrant had served his minimum term and had been authorized for return to "the nearest available camp," or where the services of an assignee were no longer desired, for any reason, the expense of the return was also borne by the technical agency. In the farm labor project the transportation charges were deducted from the wages paid by the employer. Where the expense was borne by the Federal Government, all agencies using conscientious objectors on special projects were directed to use the same methods of travel, the same meal allowances and the same room allowances as were provided men in camps who were transferred to other duties.

General Review

It will have been observed, then, that the Civilian Public Service Camp which started out in 1941 to be much like the Civilian Conservation Corps unit of previous days, acquired more and more uniqueness as World War II progressed. At first, C. P. S. Camps were established jointly by the National Service Board for Religious Objectors, the Agriculture and Interior Departments of the Federal Government and Selective Service to conduct a civilian work program of national importance for conscientious objector registrants of the System whose beliefs did not allow them to serve in the armed forces. When in the routine process of selection these men were determined to be available for such duty, they were assigned to this type of camp in lieu of induction by the Army or Navy.

In the beginning, Civilian Public Service Camps were engaged upon projects involving little else than heavy manual labor. All of their objector assignees were stationed within the camp proper and it was a fairly self-sufficient unit as to living and working activities—quarters, food service, clothing, laundry service, and medical care; orientation, conditioning, and specialization; equipment and allowances; sanitation and safety; education, recreation, and religious services; furloughs and transfers; control, direction, administration and supervision. Gradually the scope of the projects widened for many camps and much of their personnel became deployed. This made for greater dependency upon the Federal, technical, or project agency and less participation by the church, sponsoring or operating group and by the administrative agency, the Camp Operations Division of Selective Service.

As has been seen, the regular projects of the civilian work program for C. O.'s which were in operation at the average C. P. S. Camp covered such things as forestry, soil conservation, farm security, national park, reclamation, general land, and fish and wildlife activity. At the other extreme, operating out of special camp units in some instances, were the highly specialized projects of rescue, demolition, clearance, road repair, feeding and housing work of an emergency nature and, in the more standard categories, of caring for the mentally ill in hospitals and training schools; assisting in food production through dairy herd testing, experiment station and farm work; becoming the subjects of scientific experiments; and helping on coast and geodetic surveys and public health programs. Such phases of camp work could not be effectively operated except by very substantial reliance upon the technical agency.

XI

THE WORK ACCOMPLISHED BY OBJECTORS IN C. P. S. CAMPS

Some indication of the accomplishments of conscientious objectors in Civilian Public Service Camps during World War II has already been given in discussing the operation of the camps and the development of their work programs. A more comprehensive account of the efforts of these Class IV–E registrants is therefore in order. Their consciences, it will be recalled, did not permit them to accept service in the armed forces, so when they were selected as being available for such duty, Selective Service assigned them in lieu of induction to work of national importance under civilian direction. In this way the System provided a means for them to fulfill their obligation under the Selective Training and Service Act of 1940.

Man-Days and Main Types of Work Performed

A total of 5,931,632 man-days of project work was accomplished by objector assignees in Civilian Public Service Camps from May 1941 through March 1947. This figure represents the net hours devoted to work of national importance and does not include time spent in camp maintenance and other nonproject work or on sick leave or furlough. A complete account of the total man-days of work performed at the various projects is included in the statistical tables of Appendix E.

The work accomplished can be divided into two kinds. The larger amount of 4,042,147 man-days was devoted to what may be termed the conservation of natural resources. This work was done mainly under the regular or manual type of project and the supervision of the United States Departments of Agriculture, Interior, and Commerce. The smaller amount of 1,889,485 was performed in the so-called conservation of human resources and was of the special type project and under State mental hospitals, the Veterans' Administration, the Public Health Service, the United States Office of Scientific Research and Development, the Surgeon General of the Army and a few State-aided general hospitals.

Some Outstanding Accomplishments

It would be difficult to designate as most important any one project of the civilian work program for Class IV–E registrants of Selective Service. It may be of interest, however, to point out a few accomplishments which were very noteworthy. For instance, the assignees to C. P. S. Camps constructed and maintained 2,000 miles of fence, 475 miles of new telephone and electric power lines, 814 miles of new truck trails and 7,640 miles of stock and foot trails. Some 173,000 man-days were spent in tree nursery work and approximately 40 million trees were planted in areas needing reforestation. Eighteen hundred miles of new fire hazard reduction work was done on firebreaks, trails and roads, and 48,000 man-days were devoted to fighting forest fires. Several dams were completed which provided water for irrigating large tracts of arid land. Adding together the days spent on wartime food production in all of this type of project, there were more than a million so contributed. Much other forestry, soil conservation, and national parks work that had been handicapped by the loss of manpower was, through the camp program of the System, provided with labor to carry on these activities of conserving and preserving natural resources.

In the field of conserving human resources 1,512,896 man-days were spent in State mental hospitals, 120,403 man-days in veterans hospitals, and 105,473 in public health work. Additionally the office of the Surgeon General of the United States Army and the Office of Scientific Research and Development benefited through the use of 150,713 man-days in special projects and research work.

Different Types and Quality Rating of Work Performed

The succeeding pages of this chapter will present brief summaries on the type of work done in the different kinds of camps. It should be recognized in reading these summary statements that certain projects are more readily described than others and that the results achieved by some are more easily pictured. No inference should be made that a type of camp not fully described was considered less important than those described in detail.

An estimate of the accomplishments or achievements of each camp in the total of 151[1] was made by the staff of the Camp Operations Division on the basis of personal knowledge of the work done, on the work records of the units and on the statements made by the Federal or technical agencies. This composite quality rating showed 52 percent of the camps as good, 42 percent as satisfactory, 4 percent as unsatisfactory and 2 percent as very poor.

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[1] Appendix G, Item No. 119, List of 151 C. P. S. Camps.

Work Accomplished by Forest Service Camps

The Forest Service of the United States Department of Agriculture was the technical agency of Civilian Public Service Camps located in National and State forests, primarily for the control of forest fires. It carried on a year-round program of disease control; fire presuppression; construction and maintenance of roads, trails, fire towers and communication lines; nursery operation; reforestation; and other work. All of this tied into the protection and preservation of forests.

In the western part of the country, especially, the importance of such work went far beyond the protection of valuable timber, because the social and economic life of many communities depended upon the preservation of cover in the mountains to prevent floods and maintain a water supply. The bulk of the work in these camps was manual labor, strenuous and exhausting in the case of fire fighting, and it required young, physically fit objector registrants. However, the Forest Service needed and secured, or trained, Class IV–E assignees having any one of a variety of skills or specialized knowledges. This ranged from the operation and maintenance of motor vehicles, tractors, and other power machinery through construction, surveying, and engineering, to the scientific knowledge and experience that could be used in the forest experimental station. Objectors were used additionally as office workers and in the construction, operation and upkeep of communication equipment, including radios and telephones. One camp was organized which trained and used a selected group of assignees as parachute fire fighters for the control of fires in remote and inaccessible forests. Forest Service Camps were widely scattered, in order to provide as much fire protection as possible with the few men available.

The Chief of the United States Forest Service in the Department of Agriculture made a survey of all regional foresters who had operated conscientious objector projects and summarized their opinions as follows:

> EVALUATION OF PROGRAM
>
> The Forest Service was, of course most willing to respond to requests of the War Department, Selective Service System, and any official agencies to help in any way with problems resulting from the war. In addition we appreciated the CPS assignees as a source of manpower when many types of labor were virtually unobtainable during the war. While the labor of the assignees was not, as you know, very efficient as a whole, there were certain types of work in which the assignees performed unusually effective services. This covered such projects as fire-fighting, including smoke-jumping, "white-collar" research undertakings, some special fire-prevention activities and, from certain camps, farm labor.[2]

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[2] Official correspondence on file at National Headquarters, Selective Service System, Washington.

The National Park Service Camps

Camps under the supervision of the National Park Service in the Department of the Interior were located in many National and State parks. All the parks had fire-fighting and forest-protection projects similar to those of the Forest Service and, in addition, had to preserve and maintain the park improvements, which represented a large Government investment. Two examples of comments on the work of these camps show the kinds of opinions expressed. Superintendent, Mr. Blair Ross, of the Great Smoky Mountain National Park, made this statement:

> In the early part of 1944 several incendiary forest fires occurred in the northeastern section of the park. The labor used in fighting these fires was secured mostly from the CPS camp at a time when it was almost impossible to hire such labor in the surrounding country. It is difficult to evaluate the worth of the CPS camp to the park in such a case. The assistant chief ranger of this park states that the services of the assignees on fire suppression work were satisfactory.[3]

Mr. Edward D. Freeland, superintendent of the Shenandoah National Park, wrote:

> During the war years, approximately 25 percent of the camp strength went out to surrounding counties to help farmers with their crops when other labor was not available. With our own appropriations drastically cut and labor of any sort at a premium, we were able, through the assistance of CPS crews, to maintain our roads and trails, buildings, and protection structures; to man fire look-outs; to secure trained and equipped fire-suppression forces immediately during emergencies; and to do numerous small maintenance jobs that otherwise would have had to go undone. As a result, we were able to keep the park in a reasonably good state of repair and to provide much more efficient forest protection than would have been possible without the use of this labor.[4]

Camps Engaged in Soil Conservation Work

C. P. S. Camps of the Soil Conservation Service in the Department of Agriculture were located in farming areas where they carried on a program of erosion control, water conservation, drainage, nursery operation, development of pure strains of seed and preservation of land. The type of conservation work done varied with each camp unit. In some localities fence relocation and the laying out of fields for contour farming and strip cropping was the most important work, while in others terracing and the construction of waterways and check dams was of first importance. One camp was engaged in the rechanneling and reclamation of a large drainage canal, and the labor of another was largely confined to a nursery which provided trees for field planting and new varieties of grass seed. A unit was assigned to an experimental station to provide technical assistance in the study of water run-off and erosion control. Basically the soil conservation work required intelligent manual labor, but there was a need for assignees with skills, such as mechanics, clerks, and equipment operators, as well as those with technical training in engineering, farm planning, and the laboratory work of the experimental stations. In addition, the C. P. S. Camps supplied the bulk of the emergency farm labor available to the surrounding area for the production and harvesting of essential crops when other help was not available.

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[3] Ibid.

[4] Ibid.

The Farm Security Administration Camps

The Farm Security Administration of the Department of Agriculture was engaged in arid land reclamation at the farm level. After a water supply had been developed and brought to the land, it was necessary to get onto the fields for irrigation and to place the farms in condition for occupancy and production. This work consisted of clearing, land leveling, construction of lateral ditches, roads, buildings and other improvements on land which is fertile when watered. Several of these units were completed and brought under farm cultivation through the activities of the C. P. S. Camps. Besides the usual mechanical and clerical skills needed in any camp, these projects required objectors who could operate many types of land-leveling and earth-moving machines, do engineering and engage in a variety of construction work ranging from carpentry to building with concrete and steel. A total of 8,100 acres were brought under irrigation cultivation during the war as a result of such projects of the civilian work program of Selective Service.

Results Obtained by Bureau of Reclamation Camps

The Interior Department's Bureau of Reclamation with the assistance of C. P. S. Camps completed the construction of a number of large earthen dams for water storage purposes. This construction work had been started by the Civilian Conservation Corps to provide water for civilian consumption and irrigation. The project had been approved, and was granted material and equipment priorities, by the War Production Board. One of the dams built had a storage capacity of 180,000 acre-feet; it was 100 feet in height with a crest length of 17,700 feet. It was designed to provide water for 50,000 acres of new land and a supply for an additional 8,000 acres when they could be brought under irrigation. The other dams were smaller in storage capacity and length but of about the same height. Subsidiary activities necessary to the main jobs included the operation of sawmills, gravel pits, rock crushers, and extensive repair shops, the construction of roads and buildings, and the cutting and clearing of timber from the reservoir sites. The work required skill in the various phases of construction, such as engineering and drafting and the operation and maintenance of trucks, tractors, and earth-moving machinery. A Reclamation Bureau report on the work of one C. P. S. Camp, No. 57, included the following:

> The work on which this camp was used was the construction of a large earth and rock dam located on Castle Creek near the old town of Deerfield, S. Dak., 16 miles from Hill City, the nearest railroad point.
>
> The camp furnished 83,552 man-days on the job and the following work was accomplished:

Excavation:	*Cubic yards*
Class 1	783, 820
Class 2	25, 809
Class 3	50, 715
Embankment in dam	548, 734
Rip-rap	12, 127
Concrete placed	6, 267
	Pounds
Metal work placed	124, 000
	Miles
Road constructed	4. 5
Telephone lines	5. 2

> It is considered that the use of the CPS camp allowing the construction of Deerfield Dam during the war years to give farm lands and the municipality of Rapid City immediate necessary additional water supply was a very commendable undertaking.[5]

Camps Doing General Land Office Work

Camps of the General Land Office in the Department of Interior (later known as the Bureau of Land Management) were located in the West on forest lands which had been recently acquired by the Department. In addition to fire protection, roads and trails were needed and a large amount of surveying, mapping and timber cruising was necessary. This required assignees with engineering training to make maps and lay out roads and trails, others with the ability to make timber surveys or tabulate the results and those with the usual skills needed in forest camps of the System's civilian work program to operate road building machinery, fall timber and do maintenance work.

Fish and Wildlife Camps

Under the sponsorship of the Fish and Wildlife Service, Department of Interior, a group of Class IV–E registrants were assigned to the experimental station at Bowie, Md., for work on a variety of research projects. Some of this was manual labor, but other jobs required selected men with scientific training. This agency also operated the Government camp at Germfask, Mich. The work at the Germfask project consisted of developing and maintaining a wildlife refuge which had been established in compliance with the terms of a treaty between the United States and Canada on the preservation of migratory wild fowl. No satisfactory report of the operation of the camp at Germfask, Mich., can be quoted, but the following excerpts are taken from the final report of the Bowie project:

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[5] Ibid.

> The CPS camp was installed on the Patuxent Research Refuge, Bowie, Md., in 1942. Our agency was faced with a very critical situation at this time as a result of loss of personnel to the war agencies. The majority of our development, maintenance, and research programs were being held in abeyance or had been discontinued as hopeless.
>
> The principal objective in the program for the camp was to include the widest possible variation in the projects to permit the assignment of personnel with special skill, training, or education to work that was actually of national importance. The operation of the camp was undertaken in cooperation with the Forest Service with approximately one-third of the enrollment engaged on work concerned with forestry research. In the original plan it was decided to devote approximately 40 percent of the total enrollment to the research program and utilize the remaining 60 percent on development or construction projects. Our Service was assigned projects dealing directly with the war effort and it became necessary as the program progressed to concentrate on the research work and reverse the percentages above referred to. With the cooperation of Selective Service and the National Service Board for Religious Objectors we were able to select the best-trained and best-educated men available in any of the camps in the United States.
>
> The assignment of the camp has enabled us to advance our development and research program far beyond what we probably would have realized or accomplished by normal operations during normal times. We are proud of the records and accomplishments of the camp.[6]

Mental Hospitals and Training Schools

This project group as well as the remaining projects which are discussed, constituted the ones usually referred to as "special projects". Registrants who were assigned to the mental hospital work as well as to the farms and other projects yet to be covered, were individuals who had first been assigned to regular camp activities for a minimum of 90 days. During that time the objector had to demonstrate his ability to accept discipline and to work under normal conditions before being considered for a special-type project.

In the beginning of the mental hospital and training school phase of the civilian work program, medical officers from the institutions themselves often visited the Civilian Public Service Camp and selected men for the projects. These medical men thus determined the adaptability of the individual for the hospital and school activity.

Approximately one-fifth of all the Class IV–E assignees of Selective Service worked in mental hospitals or training schools. Many of these institutions were finding it impossible to maintain staffs of qualified employees; their employees were constantly leaving to take positions in industry where the wages were much higher and the work less confining. However, their inmates were wards of society and must be given care. The work involving as it did, service along humanitarian lines, had a strong appeal to the conscientious objector.

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[6] Unpublished report on file at National Headquarters, Selective Service System, Washington.

Assignees from the C. P. S. Camps performed work at the hospitals and schools as attendants, technicians, clerks, farm laborers and the like. Doctors who were assigned as objectors were practically without exception placed with these hospitals. Units at these institutions varied in size according to:

1. The population of the institution.
2. Its labor needs.
3. Available quarters for housing assignees.

When the civilian work program for the conscientious objectors of the System was being terminated a communication was addressed by the Camp Operations Division to all institutions who used these men on this type of special project. The superintendents were asked to give their comment—whether good or bad—concerning the value of the assignees. Most of the replies were favorable; others did not speak so highly of the Class IV–E registrant. In order to illustrate the range of the superintendent's comments, the following excerpts from their letters are given:

> The entire group of assignees reached the CPS camp unit in January 1944. We immediately assembled the group and informed them regarding the work and tried to inspire them with interest in the care of the mentally ill. Subsequently a series of 15 lectures were given to the entire group. These lectures covered such subjects as institution hygiene and sanitation; personal hygiene and sanitation for the patients; first aid; observation of patients; tact with patients and general care of the mentally ill. Several months later the group was gotten together again and given lectures regarding psychology, mental hygiene, and mental health.
>
> The group assigned to this unit were all of the Mennonite faith. They came from the middle Southwest, largely from farming areas. We found these men to be sincere, loyal, and cooperative. They were extremely helpful and as a matter of fact I do not see how we could have operated this institution during the war without their assistance. I would like to make the following comments with regard to this CPS unit:
>
> 1. During the entire time that this group has been at this institution, I have never heard a complaint from the relative of a patient, or any other employee, regarding the behavior of any one of these assignees.
>
> 2. There was only one instance where disciplinary measures were used. This was in the case of an assignee whom we believed to be paying too much attention to a boy of 16 who attended the same church as the assignee. In this instance the assignee was confined to the premises of the hospital for a period of 1 month. The friendship with this 16-year-old boy continued and the assignee was then transferred away to another camp.
>
> 3. During the entire existence of this camp we have had no instance of AWOL or malingering.

4. One assignee was discharged because of a kidney disease. Another assignee was discharged because of an acute schizophrenic episode.

When I hear so much about the difficulties which have arisen in certain other units, I am surprised that we have gotten along here with practically no difficult situations of any kind. I believe the success of this camp has been largely due to the religious training of the men and the fact that they were all of one faith.

The CPS unit at this hosptial was closed out on May 30, the last man in the unit being released on that day. Looking over in retrospect the 3 years of service given by the camp, I cannot but say that it was of definite value to us, and helped carry us through a critical stage in manpower during the years of the war. However, in spite of the war now being over, we have not been able to fully replace the CPS men.

The men in our unit conformed very well to rules and regulations, and were intelligent in their approach to their tasks. Some of them were, of course, intellectually much above the type of work they were required to do; and it is unfortunate they could not have been used in a type of work more in keeping with their education and training. Some, I think, were fakirs as far as having any religious objections to army service, and in one instance at least, a man stated that he had no religion.

I think the 4–E classification is poorly conceived. In my judgment the pay of $15 a month for the work these men did was very unjust and a pitiful hardship on some men who had families.

Replying to your inquiry of May 25, I regret to have delayed answering; I have no criticism of your administration, or the CPS system. The conscientious objectors assigned to this hospital did excellent work, and materially helped us in conducting the hospital when other help was scarce. Some of the boys were neurotic and psychopathic in make-up and never should have been inducted into the service. Our group was under the supervision of the Brethren; consequently, they were properly advised and encouraged to do the right thing.

Personally, I feel that the C. O.'s are selfish and uncooperative. They resented working under rules and regulations. They were also critical of the work of others. I feel that the problem of conscientious objectors, in general, when not founded on a recognized religious basis, in time of war should result in disenfranchisement. Not even the United States, as powerful as it is, can stand when its citizens remain divided and uncooperative, when threatened with danger of extinction from the outside world.

I feel that the office of camp operations of the CPS system has done an excellent job.

The unit was opened on April 8, 1943. During its existence 69 men were assigned to the unit, and its maximum strength was 40. We have had five assistant directors. We transferred 26 men from this unit to other units and discharged 43 outright. The total number of man-days was 8,826.

In general the services of these men were good, and they were a real help to the hospitals in a very critical period. I do not know how we should have continued to operate without them. There was a time when I had less than 30 regular ward employees to take care of approximately 1,100 men. We noted a considerable letdown in the quality of the work following VJ-day. This was due in part to the resentment of the men at enforced servitude after that time, and to the fact that the older and more stable employees of the unit were discharged, and were in part replaced by younger men less mature in their judgments and viewpoints. The operational difficulties of the unit I think came about through a dual control, the director taking his orders from Selective Service, and the assistant director taking his order from a church board.

I believe it will be well, in any future set-up, not to have this dual control, and I think that the church board supervision tended to create in the individuals a feeling that they were a group aside in the hospital, and it lead to considerable spying activity which did not lend itself to good cooperation. Fortunately, I think the Mennonite group was quite free of this, but I found myself embarrassed on a number of occasions by requests from the church board to do things which I had no instructions from the National Board to do.

We were desperately short of attendants for at least 3 years and the objectors seemed to feel that if they gave us good service we would keep them indefinitely because of the fact that they were giving us cheap labor. In fact, they had tacked on their bulletin board literature sent out from Washington, D. C., to that effect. Probably these men were not entirely to blame for some of their positions, since the visiting ministers at times seemed to agree with them in their attitude. These ministers seemed to feel that they could give me orders which would conflict with your written instructions left with me by Mr. Shott in June 1944. This was particularly true concerning them leaving the institution when sickness or death occurred in their family. They felt that they should be paid for the time they were not here working; whereas, our other employees would lose the time, despite the fact that one paragraph in your instructions states very distinctly that the CPS men should eat the same food, live in the same quarters, and receive the same time off duty as the regular civilian employees.

On the whole, I have found even the assistant director, to be unfair and unreasonable, so that one could scarcely blame the other employees for taking the position which they did take. We admit that our institution is far from perfect, but nevertheless, we gave our inmates about as good care and attention as that given to mental cases in our large, wealthy Eastern States. We admit that we are using entirely too much restraint, but when one has but 11 night attendants and 17 day attendants for 900 insane patients, they surely are justified in resorting to restraints and seculsions.

During World War I, I worked in an Iowa institution where we had Amish Dutch objectors. Those boys made no trouble for us whatsoever, despite the fact that their relatives did not live more than 60 miles away. I assume that we will not have many conscientious objectors left by July 1, and I assure you that we will not have any great regret at terminating this type of service. We expect we will again be short of attendants when our young people return to complete their high-school work about September 1, but I hope that we shall not be compelled to resort to conscientious objector help, at least until World War III puts in its appearance.

I have taken considerable time to summarize my opinions and experiences regarding the use of conscientious objectors in mental hospitals.

One's opinions vary when considering the value of CPS as it relates to mental hospitals. There is no denying that when these groups of men were organized to work in the hospitals the situation was serious and theoretically their assistance should have been of inestimable value. From there on, however, the theory began to break down and there were increasing difficulties.

In my opinion, Selective Service would have accomplished more by declaring these so-called conscientious objectors unfit for military service because of

> mental disorders and let it go at that. It is my further opinion that they are a group of men who are anarchistic in their thinking and general plan of living, and by and large are the most selfish group of men I have ever had dealings with.
>
> Therefore, when I attempt to make an evaluation of this portion of the Selective Service program, it is my opinion that it has been a decided disappointment and a practical failure.
>
> It is my further opinion that the program would have been more satisfactory if it had been organized and administered under strict military discipline.[7]

Appendix G contains the balance of these comments from the superintendents of mental hospitals and training schools wherein were operated the special projects for Class IV–E objects in Civilian Public Service Camps.

Agricultural Labor Administration Work

The use of conscientious objector assignees by the Agricultural Labor Administration of the Department of Agriculture as year-round laborers and technicians in food production resulted in 786,326 man-days of labor and the earning of $1,549,152.28 in wages up to the end of the civilian work program. An additional 138,674 man-days of emergency work was performed by men in regular Civilian Public Service Camps who supplied day labor for the production and harvesting of vitally needed farm crops within a 15-mile radius of the camp units. Wages earned by these emergency day laborers on farms amounted to $711,596.55. In addition, these and other assignees worked thousands of man-days of labor in the production of food for consumption at the mental hospitals and training schools and at the work camp units themselves. This was not recorded as farm labor, however.

The farm labor camps were divided into three general groups: those for individual dairy-farm laborers, those for Dairy Herd Improvement Association herd testers and those for State college agricultural experiment station workers. As has been pointed out, wage payments were required for all types of farm labor. The general standard used was the going wage of the community for year-round single farm hands where room, board, and laundry were furnished. The only exception to this rule was that the hourly wage rate for day labor was the standard used in setting wages for emergency farm labor. A ruling of the Comptroller General required that all moneys paid as wages for assignee farm labor, less necessary expenses, be deposited with the United States Treasury where it was placed in a special fund to be held until the termination of the national emergency.

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[7] Official correspondence on file at National Headquarters, Selective Service System, Washington.

Dairy Farm Labor

The acute shortage of labor in some dairying areas led to the development of a plan, in conjunction with the War Food Administration and the Extension Service of the Department of Agriculture, under which qualified Selective Service assignees, who volunteered, were transferred from the regular camps to jobs on dairy farms. These objectors worked as farm laborers on selected dairy farms in counties recommended and approved by the War Food Administration as being important in dairy production and having a shortage of dairy-farm labor. The employer paid the prevailing wage of the community for this help, as stated above, and the money, less an allowance to the assignee for the purchase of clothing and other necessities and a deduction for administrative operating expenses, was paid into the United States Treasury. At the close of the civilian work program the extension services in the States operating dairy-farm labor projects were asked to evaluate this type of camp activity. Here are examples of such evaluation:

> The good work these assignees did is further evidenced by the fact that they were taken into the homes of farmers whose own sons were in the armed forces and were treated as members of the family. They quickly established themselves in the community, and in local churches, and neighbors who had scoffed and criticized, were soon requesting the opportunity of employing a conscientious objector. They did their work with dignity. They were always given the best jobs in this county only because they deserved them. We know of no instance where an assignee refused to do any work given him, or grumbled at the long hours he was forced to work because the farm was short of manpower. On the other hand we heard of many cases where the boys offered to go into the field on Sunday or after the usual day's work was done to plant or harvest a crop. In every instance where an employer sold out or moved to a smaller farm, numerous requests were received from neighbors for the transfer of the conscientious objector to their farms, demonstrating that they were, by far, the very best help we were able to obtain during the war years.

> This program supplied labor at a time when it was badly needed by the dairy industry in this county and, as a whole, the program was successful; however, one of the most outstanding defects in the organization and administration as I saw it was the fact that conscientious objectors were in charge of the camps from which we secured our labor. This involved too-sympathetic an attitude on the part of the supervisor who visited the area. It would seem to me it would be much more advisable to have a disinterested party who could evaluate the affairs of the worker and the affairs of the dairyman so that when problems arising as to administration came up this person would not be swayed in his decision by his own personal belief or sympathy. To me this is the most outstanding defect.
>
> We attempted to place these workers in dairies where they would perform the greatest service toward the supplying of a needed food product during the war. As a whole, with one or two exceptions, we had very little difficulty with our employers because they were selected on the basis of their ability to handle labor as well as their ability to produce dairy products.

Another defect that seemed apparent during the program was the lack of corrective measures when workers were a. w. o. l., or walked off the jobs, or refused to work. Under the present program the only corrective measure that seemed to be apparent was the deduction of furlough time. It seemed to me that a better system of correction, or punishment if you wish to call it that, should be in force because in my opinion after serving in the armed forces myself it seemed to me that these workers should be handled with the same type of corrective measures as a man who is in the armed forces. Present organization of the program does not allow for such corrective measures and as a whole it seemed to me to be very weak in that respect.

In closing, I would like to reiterate my statement that the program as a whole supplied a source of needed labor and also the workers, with the exception of a certain percentage, seemed willing in most cases to do their duty with a minimum of petty complaints or personal grievances.[8]

Dairy Herd Testing

A number of camp assignees from the System were selected and trained by State agricultural colleges for work as herd testers with various dairy herd improvement associations. A few of these objectors were also used as technicians in artificial dairy herd breeding associations. An assignee herd tester sampled and tested the milk from individual cows once a month for about 25 dairymen and then estimated feed costs per cow. This information was used by dairymen in deciding how to improve production and when to eliminate unprofitable cows. In such connection it might be added that the testing loads of assignees varied from 350 to 900 cows. New Jersey testers averaged 690 cows, Michigan 456, Pennsylvania 515, Iowa 390, Illinois 486, and New York 613. The 108,105 cows tested yearly in these States averaged 512 per tester. The associations paid for the services of these registrants under the same arrangement as that followed by the individual dairy farmer on the dairy farm labor project.

The Pennsylvania State Dairyman estimated that an assignee doing such work might increase milk production considerably more as a herd tester than as a milker or herdsman. *The New Jersey Extension Dairyman* reported that, "just as soon as the dairy herd improvement association program discontinued, milk production dropped" materially. The pay of a regularly employed tester varied from $1,500 to $2,000 per year. Assuming that the average pay would amount to $1,800, therefore, the assignees performing these duties, who jointly put in 565 man-years of work, made a contribution having an estimated value of $1,000,000. Extension Services made comments along the following lines regarding this project as it was ending:

The use of conscientious objectors as testers enabled approximately 800 more Illinois dairy farmers to maintain continuous dairy herd improvement association records throughout the war period. As a whole the assignees were comparable in ability to the association peacetime testers. A few of the men assigned to Illinois were very outstanding. On the other hand, a few lacked ability or because of attitude caused considerable trouble. More care in selection of assignees was needed.

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[8] Ibid.

As I see it, the administrative set-up could be improved by having representatives of Selective Service as area supervisors. Many of the assignees who tried to get by with as much as possible would, in my opinion, have conducted themselves differently had they been responsible to an area supervisor not so sympathetic to them.

Our experience with conscientious objectors as dairy herd improvement association supervisors in Maryland was very satisfying. As a whole, the testers did a remarkably fine job and lifted the plane of dairy herd improvement association work done in Maryland to a new level.

On the other hand, I do feel that some corrections could be made in financial arrangements which might be beneficial. In many instances there was a misunderstanding between the Extension dairyman and the dairy herd improvement association officials as to just how much could be spent for each item. Then also, many of the dairymen, in their appreciation for the fine work the testers were doing, forgot that these boys were actually in the Army and more or less broke up the morale of the testers in other counties by being too liberal with them.

I also feel that from the church standpoint we didn't get enough supervision of the boys and what supervision we did get didn't help but hindered. Many times the church supervisor merely cried with the boys and that didn't help the situation in the least. On the other hand, I think the club could have been wielded a little stronger and the whole program would have worked a little smoother as a result.

The program has made it possible for over 800 dairymen to continue record keeping in their herds during a period when it was impossible to obtain the services of an adequate number of civilian testers. The quality of work done by conscientious objector testers has been entirely satisfactory in every case except one. This exception was due to a lack of ability and not to any lack of conscientious effort. A large percentage of the conscientious objector testers have set a standard of work that will be hard to maintain with available civilian testers and Association members are appreciative of the service they have had.

While all the conscientious objector testers with the one exception did acceptable work, a few failed in some other respect. Without exception all of the conscientious objectors that were Brethren, Friends, or Christadelphians were extremely conscientious in their work and fitted themselves into the situation and their work remarkably well.

As a group the men in the CPS program that had experience with dairy herd improvement association work were superior to men who are usually obtained during peacetime conditions from civilian ranks. The men from the Mennonite unit and the Brethren service had a considerable amount of initiative coupled with a definite desire to work. The farmers were very well pleased with the service and received the men in a very cordial manner. The CPS program was the salvation of our improvement work in dairy cattle breeding throughout the State. The cows enrolled in the associations would have not been kept at their high level of production without the dairy herd improvement association program. In New Jersey one can safely say that the continuation of the dairy herd improvement association program accounted for an estimated

> additional production of 19 million pounds of milk a year. Experience taught us that just as soon as the dairy herd improvement association program discontinued, milk production dropped about 1,000 pounds per year per cow.[9]

Dairy herd improvement association records were also used to determine the ability of sires from high-producing dams to beget high-producing heifers. Bulls so proven were used in artificial breeding which greatly multiplied their usefulness. The value of this work was almost beyond estimate due to its cumulative effect.

Agricultural College Experiment Stations

Assignees were placed with a number of State agricultural college experiment stations to relieve the labor shortage and enable these institutions to carry on with work that otherwise would have been discontinued. Some of the experiments had been under way for 50 years or more, and a great deal of their value was in the continuity of the work and records. Higher yielding strains of seeds were being developed and propagated and considerable time and effort were being devoted to the study of animal and plant diseases. A few qualified men were engaged in research work, others had technical jobs and the remainder supplied the farm labor needed at an experiment station. In general, such men were employed under the same financial arrangements and other conditions as the men on dairy farms.

A questionnaire sent to experiment station directors in late 1944 revealed that only 29 percent of the assignee tasks were of a common labor type, 39 percent were rated as skilled labor, 24 percent were technical and 7 percent were scientific jobs. When the project was terminating experiment stations evaluated it as follows:

> The labor made available to the station from CPS Unit 104 was extremely valuable and made it possible to continue many phases of work having a direct relation to food production. Had it not been for the labor from the camp, many phases of our wartime program would have been seriously handicapped and some phases discontinued because of inadequate help.
>
> The selection of personnel for the camp was well handled. At the beginning, prospective assignees were screened prior to their acceptance at this camp. As you are aware, the assignment of men to an experiment station requires a more careful selection than to less technical work. Among the group at this camp many were graduates or students from institutions above high-school level, and several had previous professional backgrounds which could be kept active during their period of service. In fact, we have added several men, after discharge, to the staff of the station to perform jobs for which they were especially well adapted. If future needs should exist, we would hope for the opportunity to again select men from the service who would fit into a college community and have such capabilities that could be utilized both to the benefit of the station and the men themselves.

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[9] Ibid.

> Generally, the men were capable workmen and did exceptionally well considering conditions. They enabled us to continue with important work, whereas without them it would have been almost impossible to get the work done. Naturally, the men varied in ability and in the attitudes with which they approached their respective jobs.

> The most important criticism I should like to make is that the church, in this case, the Mennonite Central Committee, was given too much responsibility for and authority over the assignees. Under the arrangement, the church (which was quite natural) used its responsibility and authority to try to more thoroughly indoctrinate the assignees with pacifism. It seems somewhat paradoxical that a country, fighting for its very existence, will not only exempt men from military service but make it possible for them to be more thoroughly indoctrinated in pacifism than would have been possible otherwise, and to provide the funds, even if indirectly, which made this possible.[10]

Malaria and Hookworm Units

Two State health projects of the Civilian Public Service Camps involved disease control, one in Florida, consisting of three units, and the other in Mississippi, with one unit. The work was largely malaria and hookworm control and the teaching of general sanitation through mosquito elimination, the screening of houses and the construction of sanitary privies. Besides making sanitary surveys of the counties in which the camps were located and doing the required construction work, it was necessary in some instances because of shortage of materials, to cut and mill timber in order to obtain the needed lumber for building. These special projects of the civilian work program were sponsored by the United States Public Health Service and supervised by the State boards of health at no cost to Selective Service. Funds were provided by the religious organizations operating the camps and by the states and communities in which the work was done.

Puerto Rican Medical Units

A medical unit project was set up for Puerto Rico and the Virgin Islands. This special camp project was divided into a number of small units dispersed throughout the islands. Centers were established to provide medical, surgical, hospital, ambulance, dietetic and welfare service for people in areas which previously were without any of this kind of care. Out-patient service was provided along these lines and the population was given instructions in health and sanitation, and trained in home nursing. Objectors assigned to this duty by the System had special qualifications and included doctors, nurses and technicians of various kinds. The project was jointly operated and financed by the Brethren, Mennonites, and Friends under the sponsorship of the Puerto Rican Reconstruction Administration with the approval and some assistance from the insular health department.

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[10] Ibid.

Special Experimental Projects

A group of selected volunteers from among camp assignees were used as experimental subjects in various medical research projects under the supervision of the Office of Scientific Research and Development and the Surgeon General of the Army. Besides acting as subjects for tests, the assignees assisted with investigations and experiments of various kinds having to do with problems of diet, nutrition, climate, altitude and certain diseases. These projects were quite important, and had a high priority among the various special phases of the civilian work program. Usually, no special training was required for such service, selection being based on physical condition and temperament.

Numerous magazine articles appeared in scientific publications giving details regarding the participation of conscientious objectors in these experimental projects. In addition, a number of pamphlets were published on the work. The bibliography at the end of the text for this monograph contains references to such reports.

Coast and Geodetic Survey

The Coast and Geodetic Survey of the Department of Commerce had experienced considerable difficulty in obtaining qualified men for its field staffs while, at the same time, the mapping of certain areas of the country was urgently required. A unit of Class IV–E assignees was therefore organized by Selective Service to assist with this work. Objector registrants on this project had to be able to stand hardship and exposure and also to have enough technical background for training in the required surveying and mapping procedure.

Weather Bureau

In addition to its other duties, the Weather Bureau of the Department of Commerce had undertaken during World War II to compile data from past weather reports and plot it on a series of weather maps. The information was badly needed, but the work was delayed due to a shortage of civilian personnel. In consequence a C. P. S. Camp of objectors was established by the System under the supervision of the Weather Bureau to carry on this special project. It required men with skill in drafting and map making or with clerical or statistical experience.

Accomplishments as Measured in Financial Terms

In the preceding paragraphs the work accomplished by conscientious objectors assigned to work of national importance has been discussed, but no specific reference has been made to the costs of this civilian work program. It should be borne in mind that Class IV–E registrants assigned to the regular or special projects of this program did not receive any pay nor were they given any of the routine allowances available to men inducted into the armed forces. For this reason alone the cost of operating the program was naturally low. Attention is also invited again to the fact that in the majority of Civilian Public Service Camps the costs of food, clothing, utilities, recreation, and allowances to the men were not an expense of the Federal Government.

At all camps technically directed by the Departments of Agriculture and Interior, whether existing as church-operated or Government-operated camps, Selective Service funds were provided to the technical bureau to defray the salaries of its own personnel which was necessary to the supervision of the work. The System also provided money for the operation and maintenance of equipment essential to the job and for the purchase of new heavy equipment, tools, and materials with which to complete the project. In Government-operated camps food, clothing, cash allowances for the men, and all other expenses were provided by funds from Selective Service.

Eliminating any reference to the amount contributed by the various church groups cooperating in the program and considering the fact that 3,194,436 man-days of labor were provided to camps operated directly by the Agriculture and Interior Departments, the total cost to the Selective Service System from May 1941 to March 1947 was $4,731,558. This constituted a man-day cost of but a fraction over $1.48 per day. Such cost did not include the number of days lost through sickness, leave, arrest, or overhead camp work.

Money From Work on Special Projects

It was found that the average monthly salary paid to State hospital attendants in States where conscientious objectors were assigned was $68. Deducting from the result $15 for the monthly allowance of the registrant and an amount for transportation and medical and dental care over and above that provided regular employees, there was an estimated maximum saving to the States of approximately $4,286,519 through this project.

Another group of conscientious objectors was assigned to certain institutions of the Veterans' Administration. These registrants performed a total of 120,403 man-days of work. The entrance pay scales for regularly employed attendants in these institutions ranged from $1,320 in 1943 to $1,697 in 1947. On the basis of such wages and taking account of monthly allowances, transportation and extra dental and medical care, it is estimated that this project effected a maximum saving of around $535,141 for the Veterans' Administration.

Analysis

A financial summary for most of the projects not mentioned above, is difficult because the final costs were not made available to Selective

Service. As will be recalled, money was only provided by the church and Federal agencies as it was required. Moreover, no objective evaluation was placed on the work done in connection with the various research projects. Obviously the monetary total was considerable, however, and the contribution of the Civilian Public Service Camps to the national welfare was of a wider dimension than money terms alone could indicate.

Of great significance is the fact that the conscientious objectors of the System who according to their beliefs could accept only work of national importance, did accomplish many major tasks. Likewise noteworthy is that on the whole these Class IV–E registrants performed such duty well. The situation wherein they were often under some supervision from three directions—church group, technical agency, and Selective Service—must have served to complicate camp life and work for them as well as for their supervisors; nevertheless they rated satisfactory in accomplishment. As this chapter and those which follow show, all too frequently, there were individual conscientious objector assignees to the C. P. S. Camps and small groups of the same who were a source of deterring irritation to satisfactory operation. In the main, however, the assignees fulfilled their obligation under the Selective Training and Service Act of 1940 in a creditable manner and without complaining personally.

XII

THE PROBLEM OF CAMP ORDER AND DISCIPLINE

Much time has been devoted to the Selective Service registrant of 1940–47 whose conscience made him object to both combatant and noncombatant service in the armed forces. It has been noted that when the basic law of the System was passed, there were provisions for this type of objector to be assigned, in lieu of induction, to work of national importance under civilian direction. These provisions stemmed from the general concept—service for everyone selected—and the specific church and historical philosophy—duty within the observance of religious faith. They were reflected in the general regulations of Selective Service which said that if such a registrant was chosen for duty and possesssed a valid claim of conscientious objection he was to be placed in Class IV–E and given an assignment to civilian work.

In consequence, the System along with the peace churches and certain agencies of the Federal and State Governments, developed a civilian work program for the Class IV–E objector which operated by means of Civilian Public Service Camps. The sound planning of this program and the general satisfactoriness of its operation in the camps has been discussed. Furthermore, the types of regular and special camp projects have been presented along with the value, quantity, and quality of the work accomplished.

As this usually good story has unfolded, there have been significant references to the problem of camp order and discipline. This problem has been noted as being due in the main to a very small number of Class IV–E registrants. Relating these experiences in delinquency is not a pleasant task. In addition there may be a tendency for the reader to accord them undue emphasis as compared to the whole civilian work program. Nevertheless, a monograph on conscientious objection would be incomplete without their presentation.

The Root of the Problem

The discharge of objector assignees from Civilian Public Service Camps by reason of delinquency totaled but 500 to 600 during the entire 6½ years of Selective Service operations. This was only about

5 percent of the approximately 12,000 Class IV–E registrants assigned to the camps for the period. Compared with the some 36,000,000 militarily liable registrants in the System, or the 10,000,000 inducted for combatant and noncombatant service with the armed forces, or even the 50,000 classified as conscientious objectors of all kinds, the number of such discharges was insignificant. Yet the story of order and discipline in the C. P. S. Camps was much broader than just a discussion of the few recalcitrants who were separated from duty because they were delinquent.

It should first be pointed out that there were four distinct types of objector assignees in the camps. By far the largest group were those who were cooperative in every respect. They did a satisfactory amount of good work on the projects and led well-regulated lives from all angles during "off-duty" hours. They constituted no problem of discipline whatsoever. The second group, a minor one, was also composed of good assignees, but they were of a type somewhat prone to be influenced, and created some difficulty to that extent. Their conduct depended to a degree upon whom they were working or living with and also whether they were being observed by camp officials. Another group, much smaller still in numbers, was made up of assignees who were opposed to the civilian work program in principle, but who advocated nonviolent passive resistance to it, patterning their actions after Mahatma Gandhi. The fourth and smallest group were those who desired open and united rebellion, sabotage, and violence in their demonstrations of noncooperativeness.

These last two groups hardly belonged in C. P. S. Camps, but they accepted such assignments, not having the honesty or courage of their convictions to refuse and stand court trial as law violators. Therein was based the problem of camp order. The presence of this type of Class IV–E registrant, sometimes referred to as a pseudo-religious objector, created difficulties of extremely critical nature in some camps and in so doing tended to cast disrepute upon the whole first effort of the United States in work of national importance under civilian direction.

Lack of Prompt Court Action a Factor

Although not universally practiced, it had been generally recognized for a long time that a claim of conscientious objection carried with it a connotation of "influence upon the conduct" or of deportment "uniformly consistent with" such a declaration.[1] Therefore, the assignment under the Selective Training and Service Act of 1940 of sincere objectors to a civilian work program in lieu of performing duty with the armed forces or serving a sentence in prison was fundamentally sound. However, the disciplinary measures provided by the law were insufficient for the control of camp delinquents, such as, the pseudo-religious objectors described above. The difficulty was that, in removing the Class IV–E objector from the direction of military organizations, the act left recourse only to the Federal courts for any discipline other than the restriction of camp privileges, such as furlough. The latter proved, in most instances, to be but a minor deterrent.

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[1] Ch. III.

Coupled with this situation, the United States attorneys during the early part of the program seemed hesitant to refer these delinquent cases to the Federal courts. Inexperience in the field apparently caused them at first to regard such cases as minor infractions of the law. The result was a long delay before delinquent individuals were brought to trial. In one instance, a United States attorney even went into a C. P. S. Camp and endeavored to talk the recalcitrant objectors into reforming their ways. Failing in this, he did not continue actively with their prosecution.

Then in one court where trials were held for many early cases, the Federal judge interpreted the law in a peculiarly liberal way and was extremely lenient as to penalties. Men who pleaded guilty were found not guilty upon the instruction of the court; others were placed on probation after conviction. The initial laxity of the United States attorneys and the leniency of this one Federal court alone made the maintenance of proper order and discipline in the C. P. S. Camps of this area and others very difficult. There undoubtedly would have been less assignee misconduct if the Department of Justice had uniformly prosecuted with vigor and promptness. In this connection it is recalled that section 11 of the 1940 law read: "Precedence shall be given by courts to the trial of cases arising under the act."

Failure To Prosecute Deserters

As a rule Selective Service did not have this much difficulty in obtaining the prosecution of outright desertion except in the latter months of the operation. In one group of six cases, however, the Justice Department failed to prosecute after the offenses had been reported and action requested. These objectors deserted a C. P. S. Camp in May of 1946, and four months later the Department suggested that the registrants were then eligible for discharge, although they had continued meanwhile in a desertion status. The System felt that since the men had not completed the required length of service at the time of violation they should not be issued discharges in the usual manner. The Department of Justice then replied that the United States attorney "had expressed the view that public policy does not demand the prosecution of these cases. Consequently, no further action in these cases is contemplated by this Department."[2] It would appear that in this instance the United States attorney tended to place himself somewhat in the position of the judge or the jury. The basic law of 1940 provided for the trial of violators in section 11; it seems, therefore, that the sworn duty of the attorney was to place the deserters on trial. Most United States attorneys were cooperative, however, and prosecution and convictions were secured for both delinquencies and desertions in a large percentage of cases.

Prospects of Remedial Segregation

Sincere religious objectors, who had been assigned to the civilian work program, were amenable to reason and, in general, performed a good day's work on the camp project or projects. However, it was not always possible to separate these registrants from what may be termed the agitators. In some church-operated units the directors, being church representatives, were not inclined to segregate men because of the church attitude of religious tolerance. This left the sincere but easily influenced objectors exposed to their few noncooperative companions. The result upon occasions was a demoralizing effect for the whole group. Such demoralization even extended beyond the work projects. Thus it is probable that some objectors suffered psychological effects difficult to overcome.

In the church-sponsored camps discipline was the responsibility of the camp director and, in general, this was a fairly satisfactory arrangement. The director, himself a conscientious objector, usually tended to be sympathetic and favorably inclined toward the objector and therefore secured his cooperation without great trouble. The church representatives were inclined to predicate their policy of administration on the theory that all assignees were conscientious and sincere, and sometimes the troublesome person took decided advantage of this approach.

Against the advice of Selective Service, most church-operated camps were set up on a self-government basis. This gave each assignee an equal voice in camp government and resulted in an extreme degree of individual freedom outside of working hours. In fact about the only effective check on freedom during off-duty hours was the penalty against desertion. Many of the problem-type assignees had considerable education. They were well fitted by training and experience to argue their ways of life. Often they were more persuasive even than the administrators of the camp. Their early segregation in special camps would therefore have had some advantage to the operation of the entire camp program. Eventually, some Government-operated units were organized for the specific remedial purpose of segregation.

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[2] Letter of September 10, 1946, to the Director of Selective Service from the Assistant Attorney General, on file at National Headquarters, Washington.

Varieties of Misconduct

Many of these problem assignees to the civilian work program possessed qualifications for the highly specialized projects of the C. P. S. Camps but their noncooperative attitudes prevented their selection in these regards and so they continued as common laborers. In unskilled capacities they were often quite adept when trying to "botch their jobs," to use a phrase from one of them.[3] They did not always refuse to work but sometimes moved articles of light weight one at a time instead of carrying a reasonable load. Or they carried dirt with shovels by spoonful-size loads. Or they required a separate order for each movement on a job. In one reforestation camp some of them, when sent to weed plant beds, managed instead to trample the young seedlings they were expected to tend and to break down the shade covers placed over the beds. As a whole, they also spent much time criticizing and ridiculing their project or technical foremen.

Upon occasion these malcontent "men 'gainst the state" placed bottles in front of rubber-tired vehicles, took a Government truck without permission and brought liquor into camp, broke windows out of a camp foreman's quarters, battered down doors with rams, caused the destruction of foodstuffs by breaking into a pantry and trampling valuable supplies on the floor, damaged electric generators and truck engines by placing sugar in the gas supply, caused buildings to be burned, refused to keep either their persons or quarters clean, decorated one dining hall with swastikas and at times raised Japanese and German flags on flagpoles reserved for the United States flag.

A staff member of a Civilian Public Service Camp, who observed the problem of misconduct at first hand, made this division of conscientious objectors: "Second mile men" and "men against the State." Regarding the first, he wrote, "One group felt that the times called for 'sacrificial service' and 'second mile' cooperation. Men of this group went quietly to Civilian Public Service Camps after their local boards had certified to the religious validity of their objections to military service. They served there quietly and well, * * *". He characterized the other group as "The men who resisted, who left camp, who refused to cooperate, * * *" Regarding those who "remained in C. P. S. Camps and resisted both Church and State at that level, * * *" he used this language, "* * * employ sabotage against the State * * * when men accustomed to reasonably efficient work habits deliberately slow down, botch their jobs and act the parts of able-bodied imbeciles."[4]

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[3] George B. Reeves, *Men Against the State* (Washington: Human Events, Inc., 1946), p. 13.

It should be constantly borne in mind, however, that the perpetrators of these gross outrages in order and discipline were a very small minority of the Class IV–E registrants assigned to work of national importance under civilian direction.

Resistance in Church-Operated Camps

Most of the outstanding misconduct occurred in the Government-operated C. P. S. Camps as would be expected. Some of these units, it will be recalled, were organized specifically to segregate agitator elements for remedial purposes. In addition, the objector who was a recalcitrant to the civilian work program often requested a transfer to the Government camp so that he could register more effective opposition to the whole civilian work program. However, some destructive malcontent did occur in the church-operated camps.

In checking over the reports made from time to time by the field representatives of the Camp Operations Division in the National Headquarters of Selective Service, it is noted that the many minor and the few serious disturbances which took place in the church-sponsored units were handled in various ways by the camp directors. The situation of the problem assignee was not due to the church but to the Government, and the director was a patient man, so ordinarily he managed to get along somehow with this type of assignee. Such arrangements were in the main not satisfactory but they nevertheless existed.

This often made it difficult for Selective Service to obtain enough direct evidence to prosecute the offender. Sometimes it was only through the continual inspection of a camp that National Headquarters gained knowledge of trouble there. At other times the difficulty only came to attention through the report of a technical agency whereupon a field representative of the System was immediately dispatched to the unit. Upon rare occasions the camp director would even transfer the trouble-maker to his own administrative organization and keep the violator from coming to the attention of the technical agency or Selective Service. These are not representative illustrations, of course, but they do indicate that the System and the technical or project agency interested in the work of a camp, did not always receive the outright cooperation of the church group in matters of order and discipline. Undoubtedly the desire of the churches to give the program a greater appearance of success to the general public was a factor in such instances. However, experience indicated the shortsightedness of not dealing outwardly and directly in problems of camp delinquency.

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[4] Ibid.

Resistance at the First Government Camp—Mancos

While it is difficult to establish a date on which the first efforts of the noncooperators against the Government proper had their inception, it can be definitely said that such noncooperation stemmed principally from those "absolutists" in the C. P. S. Camps who lacked the courage of their convictions to face prison sentences rather than to comply with the Selective Service law of 1940. They preferred seemingly to accept assignment to the civilian work program with the idea of proving it inadequate through a planned process of sabotage.

When the first Government-operated camp was established at Mancos, Colo., in July 1943, many of the early arrivals indicated that they would be difficult to discipline. It was said by some of the more belligerent that the mass of assignees to the camp would eventually develop some sort of organized resistance against the Government. There were enough cooperative registrants among the first group, however, to prevent open united demonstrations.

At the Mancos camp, the general attitude of most assignees was one of cooperativeness. Many efforts were made by dissident elements to organize the unit along the line of partial resistance, but this failed to materialize. Large numbers would not participate at all and the differences of opinion among the noncooperators on methods of demonstration could not be reconciled. It is true that many Mancos assignees were prosecuted by the United States Department of Justice but these delinquents were individualists rather than organizers of resistance groups.

A Special Camp for the Maladjusted—Germfask

During April 1944, the Fish and Wildlife Service opened a Government camp at Germfask, Mich. This unit was established to assist the Government in wildlife research work and to provide a special camp for those assignees who did not make an adjustment at other camps, including the one at Mancos, Colo. In addition, this unit was set up in cooperation with the Michigan State Board of Mental Hygiene to make observations and studies of noncooperative objectors who were believed to be mentally and physically deficient.

Most of the noncooperators at Mancos were transferred to Germfask, in order to relieve the Mancos work project of the problems of order and discipline which were accumulating. Primarily because of the activities of these problem cases and the uncertainty of the medical advisory boards of the System as to the status of many cases, it was determined to use this new camp in the special analysis of the physical and mental fitness of problem assignees. As a result many recalcitrant objectors were eventually discharged and reclassified IV–F.

The Germfask camp was closed May 31, 1945, and transferred to Minersville, Calif. Local public relations at Germfask were never good. There was general opposition and dissatisfaction of the community as regards the camp which had been brought about by the conduct of assignees both on the job and during off-work hours. At this camp demonstrations of noncooperativeness against the Government and the local community were made by various individuals. There were no organized mass demonstrations; here, as at Mancos, the malcontents were not able to agree on methods of demonstrating against the Government. Shortly before the Germfask camp was closed, Selective Service discharged and reclassified many of the assignees. This closing was at the time when assignees were being given discharges due to age and length of service. The reclassifications were to IV–F and were the result of examinations by the camp's special medical advisory board.

The Report of the Germfask Project Superintendent

It is appropriate and valuable at this point to quote in full the final report of the Germfask project superintendent:

> Early in the late war emergency, the Fish and Wildlife Service learned that Selective Service intended to establish work camps throughout the United States, composed of conscientious objectors. These were for the most part to be administered by Federal agencies.
>
> Having an inoperative CCC camp at the Seney refuge, completely adequate insofar as housing facilities were concerned, and still in possession of all working equipment such as heavy machinery and small tools, the Service petitioned for such a camp. For some time no action was taken, though advice was received that the Seney camp was in the high priority list, and would be allocated as soon as the availability of objectors permitted. Eventually it transpired that there was no possibility of setting up additional new camps, and an offer of a recalcitrant camp was made.
>
> The Service accepted this type of camp, assuming that even if the assignees were hard to get along with, they could be brought to a tractable state of mind through good treatment, or failing in that by the exercise of disciplinary methods as must exist in the regulations formulated by Selective Service, under Federal laws. Service officials were in this respect overly confident.
>
> On May 12 the advanced cadre of 12 assignees arrived and increments of various size continued to arrive until by the end of the month 40 objectors were in camp. Subsequent increases brought the total up to a normal strength of 75 to 85 assignees.
>
> ### THE RECALCITRANT OBJECTOR
>
> The types of assignees sent to the Germfask camp for purposes of screening the bad from the good in the then existing camps throughout the county beggar description. At first glance they appeared to be, physically at least, much like the run of mankind inducted into the armed services. The outstanding peculiar-

ity about them was the almost universal lack of expression in the eyes. Their laughter, if any, likewise had a vacant quality. Most of the objectors avoided a meeting of glances and kept their eyes focused on the floor or ground. Quite a number wore beards, and some of these achieved a Christlike appearance, though as we were to learn the impression was to be dissipated of any inner saintliness of spirit. Insofar as education was concerned, the objectors ran the gamut of the extremes, from the rather poorly schooled to the profusely educated. In background there were sons of ministers, scions of the wealthly, and some with prison records. Professions represented were many, and there was a quota each of engineers, artists, professors, lawyers and what-not. Potentially the group had the makings of a very fine community group, and excellent prospects for self-sufficiency as a work unit. Actually, these dormant talents were to be exercised in raising Hell instead of paying back to the Nation the price of escaping military duty. For that reason, in the following lines, we avoid using the word "conscientious" when referring to the Germfask objectors. No one who has not been closely associated with them for a substantial period of time could believe that such people could exist outside an insane asylum.

Races represented included the white, black, and yellow.

Practically all denominations were claimed by the objectors, and there were combinations or patchworks of several. There was a small group of Theosophists, and too many nonbelievers who expressed their religion as atheism. And it seems to us too, after trying to find the key to the souls of many individuals, that some of the ideologies were made up from day to day as the mental writhings of the subject conceived them.

There was a minority group of political objectors composed of men who were not in sympathy with the current war. Also some who were apparently just mad at the Government for personal reasons. And not to be forgotten were those who are suspected of being friendly to the enemy. The camp troubles were not spontaneous we know; the hidden leadership was too well oriented in the art of causing dissension and mass action to be other than well schooled agitators.

As for character, we'll pass lest it seem that we draw conclusions before the fact.

Any discussion of the loyalty of the objectors seems idle. At least we are confused, for they wouldn't fight for their country. But strangely they cherished their "rights" above the average American, and bellyached on the slightest pretext about habeas corpus, slavery, injustice, and liberty and the constitution. Camp lawyers made the most of it, and were continually needling the administration by quoting the law, or the regulations where they could possibly gain anything by doing so.

So in the vast majority, the assignees were a bad lot of men who managed to escape the moral obligations an American is born with. The dozen or so sincere and really conscientious objectors were, of course, just the opposite. These poor fellows were assigned to keep camp functions going, and they did bear the burden of the dirty work, though they suffered severely from association with the recalcitrants and from the mangling and filthing their cause received as a result.

BEHAVIOR OF THE OBJECTORS

The administrative personnel which were employed to supervise the work and camp activities, were carefully selected for their solid reputation in the community, as well as their supervisory qualifications. They were fair-minded, tolerant; just the type to work with conscientious objectors. With a superior steward, splendid working equipment and the know-how to accomplish things, it was felt that the camp would go to town on work projects.

However, trouble began the first day, when it was plain that few of the men would work. It seemed that the big objection (at first) was the lack of pay. When we expressed our conviction that the price of a whole skin seemed to be the wage they were getting, they readily found other excuses, until we realized that we could expect no work unless the individual felt willing to give it.

Likewise we learned that camp discipline could not be effected, that men could malinger on the sick list, refuse to work, go a. w. o. l. up to 10 days, destroy property, and do pretty much what they wanted in camp without paying the penalty.

From May 12 to June 9, the camp director patiently bided his time, studying the regulations and building cases against the recalcitrants; then picked up his evidence and hit the trail for the district attorney's office, after assuring the camp supervisory personnel that he would be back with a carload of United States marshals and the authority to throw the malcontents into jail.

But it was not to be. He was dumbfounded to learn that the law could not help us, except in case of desertion. Desertion was defined as absence without leave for 10 or more consecutive days. Anything less was to be handled by camp discipline, i. e., additional work.

We explained that we couldn't get the men to work in the first place and saw no chance of using extra work as a weapon unless they could be forced to do so by full implementation of the regulations. We cited the case of the assignee who, when ordered to sweep the dust off a stake truck platform, spent all day sweeping two-thirds of it (the total should have taken 5 minutes at the most) and then went on the sick list next day. We also detailed the process necessary to force an assignee to chop down a tree; how it was necessary to order every blow, every withdrawal of the ax, and point to the exact spot the axe was to fall each time; how the men would drive staples on the fencing project, not over the wire but beside it, above or below it and maybe putting in 50 staples when one would have done the trick. The district attorney then explained that an assignee could not be tried for failure or refusal to work unless the act was sworn to by the proper number of competent witnesses. In other words, for example, if a work unit of 25 men carried on as described, not much could be done because there was no standard of work recognized in the law. But if one or more of the men refused to work, he could be tried, provided there were a preponderance of witnesses on the accusing side to support the claim. It would seem that at least 26 witnesses were needed in the case cited, or counterclaims by the assignees would neutralize the evidence.

A discussion of camp offenses, such as indecent exposure, destruction of property, assault and battery, failure to obey orders, and disloyalty to the United States, brought to light that such cases must be serious and flagrant, and that many were civil cases within the province of State courts.

So we appealed to State authorities, to the State police and local courts and did have some small measure of success with camp offenses, until the assignees brought their high-powered lawyers and flush treasury to bear; then the State authorities found it too expensive to fight appeals or deal out long jail terms which had to be financed by the county funds.

The local State mental hospital, willing to help if possible, needed enabling legislation to handle Federal wards. Later, when this was obtained, all assignees sent there for observation, confinement, and treatment were returned marked sane and healthy.

So we were up to our necks in trouble with no hope in sight. Our philosophy and decision was to hang on until the situation got bad enough, when the Government would have to do something about it.

THE RESISTANCE MOVEMENT

Stating frankly that they fully understood the limitations of the regulations and the law, the objectors made things as bad as possible, opining that if they were well behaved they would get nothing at all. Whereas if they were bad enough they might be discharged as unfit for "confinement" in a conscientious objectors camp. In the light of what eventually happened they were right about that, for many a bad actor was eventually discharged on one ground or another. Some felt that it might help their cause if they served prison sentences, others felt that their martydom in prison might sway public opinion in their behalf. These were willing to go to prison and probably most of the desertions which brought prison sentences were sought in this way. Some 22 objectors from this camp were sentenced to Federal prisons as a result. Twenty-one were discharged for one reason or another, by far the minority for physical or mental unfitness.

The counter play of the administration was based upon the realization that the objectors might in time overplay their hand and bring about enough public resentment to inspire remedial legislation. Therefore, at no time did the supervisory personnel attempt to abuse, or mistreat, deprive of allotted food, or depart from the word or spirit of the regulations in its handling of the assignees. What trouble they had they brought upon themselves.

And they made plenty. They deliberately and persistently sought to break up the camp functions. They made life as miserable as possible for the supervisory personnel, thinking they would quit and the camp would eventually break up for want of supervisory personnel. And it is true that there was a large turnover in that location. There were five stewards (cooks) for instance, four camp managers (not counting the one who stayed only a half day), two project superintendents, three foremen, and five different doctors gave full and fair treatment and conscientious medical service, though patently disgusted and hopeful of getting away.

THE PUBLIC REACTION

Public opinion of the conscientious objector was undoubtedly much the same in the district as that which would have been found anywhere. Most likely it was compounded of some little sympathy, some pity, some contempt, and in the minds of a few, a tinge of admiration for men that could take the rap in support of religious conviction. This compound of opinion sagged sharply when word got about that the men were not conscientious objectors, but the dregs of the better camps. It hit bottom when the newspapers published an account of the fact that the assignees would not work, and feeling mounted to indignation when it became public knowledge that the objectors were destroying good food at a time when even the common sort of provender was being strictly rationed. If the assignees had been decently behaved, and done a reasonable amount of work, unquestionably the true conscientious objector would have done much toward improving public opinion in his special case. Instead, the public mind in this region has been prejudiced for a long time to come.

MEDICAL FACILITIES

Medical service provided was of the best obtainable. In the first phase of camp life a local physician was obtained to take care of what was expected to be a minor matter. However, the assignees soon seized on the opportunity and conjured enough cases to make it necessary to have a doctor, if not on duty, at least available most of the time.

The records show that five different physicians served the assignees, and in addition specialist service was engaged when the case ran out of the orbit of the general practitioner. Of the total of 20,510 man-days available in the duration of the camp, 3,994 were consumed by the "sick." It is estimated most generously that one-tenth may have been really ill.

The morning report for the month of July reveals the assignees' sense of humor. Thus six men in consecutive order in the B's and C's were sick most of the month; all of the four K's were sick all month, as were both of the S's and half of the H's. The total monthly average of men sick was about 12. This offered an escape opportunity for the assignee—escape from work, and possibly from the objectors' camp. A number took this route and were eventually discharged. The case of John Menzies was one in point. Menzies went sick December 13 and remained in bed (during working hours) until May 19, a total of 150 days.

The doctors can hardly be blamed, for they were conscientious men and loath to running the risk of making a bad guess, even when fairly certain that assignees were faking illness.

WEAKNESSES OF THE SYSTEM

Good and bad objectors should not be mixed in a work camp. If the former is in the minority, the aggressive recalcitrant dominates, and the neutral-minded fellow is prone to go from the balancing point in the downward direction.

Undoubtedly many of the assignees had domestic worries. The most common was lack of income while confined in a CPS camp.

The writer doesn't believe that objectors should be relieved of any obligation to their Nation in time of war. However, if these men cannot be screened more carefully so as to exclude the coward and the political and radical objector, obviously serious penalties should be inflicted on the recalcitrant.

Perhaps the bad actors should be educated in the first principles of life. That is, they might be segregated entirely from their fellow citizens by being placed in an isolated location or a large island, and given an opportunity to work and fight to survive, which is, after all, the heritage our freedom-loving forefathers passed on to us.

THE WORK RECORD

The break-down of the use of the available man-days during the 388 days of the camp existence was as follows:

	Man days
Jail	570
Refusal to work	383
Miscellaneous travel, lack of clothes, bad weather, etc	175
Furlough	1, 558
A. w. o. l	261
Camp overhead	10, 098
Project work	4, 871
Sick	3, 594
Total	20, 510

From the above record it will be noted that less than one-fourth of the total man-days were available for project work. But let's examine the efficiency factor to see what happened:

One of the projects consisted of fire-hazard reduction. The records show that 1,468 of the total of 4,871 man-days were spent on this project, and 2 miles of roadside brush was cut (one side only). The assignees on this job were the nonworkers and most of the work accomplished was done by the foremen in charge.

The man-days consumed by the assignees on the above project then should be deducted from the gainful man-days which leaves only 3,400 man-days of accomplishment to be credited to the camp.

This figure must be reduced by the number of man-days spent on project overhead, which entailed the two clerks, the two tool-room men and the one to three firemen and what-not charged to project work. The average was 6 and since there were 329 working days during the camp occupancy, 1,974 man-days must be subtracted from the man-day project total credit. The balance remaining could be reduced by somewhat similar surgery, but to be charitable we might say that only 1,426 man-days were obtained for project work. Fortunately most of the foremen worked and it is possible to add their time of approximately 1,200 man-days to the accomplishment factor.

The financial outlay as near as we can estimate it is as folows:

Supplies	$10, 859. 91
Camp operations	38, 474. 17
Supervisory salaries, estimated	26, 000. 00
Court costs, costs to other agencies, transportation, travel, subsistence, clothing, medical costs not charged locally and general overhead charged elsewhere, estimated	15, 000. 00
Project supplies, incorporated in jobs	13, 134. 06
Total	88, 468. 14

By subtracting the cost of the materials incorporated into the project we have a net cost of $75,334.14 for 2,626 man-days of labor accomplishment, such as it was. Apparently this would approximate $30 a day for common labor.

However, one can merely look at the accomplished work today and assure himself that 10 men could easily do the work in 6 months at a cost of not over $6,000.

Therefore, the camp is evaluated at the cost of materials in the amount of 13,000-odd dollars and labor at the value of $6,000 or a sum total of $20,000. This is one-fourth of the amount of the money expended.

Further examination of these figures seems to reveal that if it cost $75,000 to do $6,000 worth of labor, the relative efficiency of the objector labor (plus the help of the working foremen) was one-twelfth. In other words the assignee labor cost 12×$30 or $360 per day, truly a fantastic figure.

The Fish and Wildlife Service benefited by acquisition of all the camp buildings and the working equipment formerly the property of the Civilian Conservation Corps. For this we are grateful. The camps were donated to veterans organizations, churches, and other public agencies to square ourselves for the trouble our objectors caused. We hope now to forget the episode.[5]

Organized Resistance at Minersville

As indicated by the superintendent's report, much of the trouble at Germfask originated with a small number of assignees and gradually spread to include others. When the transfer to Minersville, Calif., was made, the leaders of the nonviolent recalcitrants had been eliminated at Germfask through the process of reclassification and discharge. Upon the arrival of the assignees at Minersville it was therefore more evident than ever that the minor group of the badly maladjusted would attempt to control the entire group of objectors there. In the first news letter published at Minersville, for instance, an editorial written by one of the most active of the malcontents indicated the approach which the noncooperating assignees were to take from then on:

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[5] Unpublished report on file at National Headquarters, Selective Service System, Washington.

> THE INEVITABLE GAP
>
> The business of establishing a new camp, in particular, Camp Germfask, at Minersville, makes clear once again the gap that exists between the thinking of the assignees and the thinking of the administrative personnel. The camp director, Bliss Haynes of the Forest Service, is no stranger to the few of us who knew him as project superintendent at Coleville. We know him to be a thoroughly fair-minded, kind, and personable gentleman. He is naturally anxious to make the kind of progress in this new location that the Forest Service values. He has his responsibilities to his organization and he means to make as much progress as is possible in a CPS set-up. It is immediately obvious that the rest of the camp administration is friendly toward us. Few CPS camps have been as fortunate in this respect as the new Germfask.
>
> Despite all this, a gap in outlook between Germfask men and their administrators still exists. And there is nothing short of terminating this forced labor system that will bridge this gap. In the next weeks and months we feel that it is as certain as the setting sun that antipathies of an insoluble nature will arise across this gap.
>
> It requires no extraordinary foresight at Minersville to anticipate a repetition of the Germfask, Mich. "trouble." Nor is it reasonable to expect that a continuation of officially-inspired suppressive measures will quash the "trouble."
>
> There are three courses which the administration of Camp Germfask may take. They may muddle through and accept a poor work record. They may "crack down" and accept the unpleasant fruits of this familiar policy. Or they may withdraw from the system. We hope that they choose the last.
>
> The story of CPS is unchanged. The gap still exists. At Camp Germfask we begin again a chapter with which we are already fully acquainted.[6]

In spite of this beginning there seemed to be no more of an organized movement for protest at Minersville than there was in Germfask. Many individuals in Minersville belonged to the so-called troublemaker category, but there was no open rebellion by any group of assignees. The camp had a series of acts of sabotage that started with destroying equipment and ended with the burning down of the mess hall and storage building. However, circumstances indicated that these were the work of only two objectors at the most.

An Attempt at Concerted Action in Government Camps

Between the opening of the Mancos camp in July 1943 and December 1945, following VE- and VJ-Days, there was little evidence of an organized plan of resistance in the Government-operated units. The problem of order and discipline which had been growing slowly for some time did develop at a more rapid rate, however, after VE-Day. Incidents of antisocial behavior, of refusals to work and even of open violence became more numerous. There was a further increase after VJ-Day.

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[6] Mimeographed camp publication issued by assignees; copy on file at National Headquarters, Selective Service System, Washington.

This was to be expected with the end of the war and the type of maladjusted assignees which constituted much of the objector personnel of the Government camps. When these camp units had been established, it will be recalled that some of the problem type individuals immediately asked to be transferred to them. Others were sent to the Government units upon request of the church administration or the initiative of Selective Service. By the close of hostilities in Europe the seeds of discontent and noncooperation had therefore taken root.

As an example of the more serious trouble which was contemplated in December of 1945, "The CPS-GI", a mimeographed newsletter of the noncooperative group in the Mancos camp stated:

> This issue of the CPS–GI is dedicated to organizations that we feel CO's should be interested in, both now and after demobilization. Included are four pages of information on such organizations. We recognize that a great difference of beliefs and temperament exists, nevertheless we believe that the opportunity for finding common ground is much greater than generally accepted. This issue is published as an aid to individual investigation of groups acceptable to those who wish to join with others in progressive pacifist action.

Quoting further:

> In the last 2 weeks the Mancos "radicals" opposition to conscription has taken on a creative outlet.
>
> Most so-called trouble makers in both church and Government camps eventually end up at Minersville, Calif. (formerly Germfask, Mich.). The recent mass exodus of 12 Mancos assignees to the "Alcatraz" of conscientious objectors camps was regarded by the majority of those directly affected as a promotion. One of the group adequately expressed transferee feeling by stating "Thanks, Mr. Thomas."
>
> Director Thomas naively assumed that the transferring of slow-downers, suspected saboteurs, and nonconformists would quell the contagious disobedience. Thomas first began transferring men to Lapine, Oreg., then Germfask, Mich., and now Minersville, Calif. He has not faced his problems and they still go unsolved. There are always others ready to take the places of those liquidated.
>
> The different attitudes of the two camps are distinctly noticeable. At Mancos the general attitude is one of submissive tolerance. That the CPS system is not one of service is recognized, but little opposition is forthcoming. The obedient response to project orders is discouraging to those anxious to thwart totalitarian dictums.
>
> At Minersville, foremen rarely tell a man to work; rather internees are told to go to their stations. And nothing more is said. Constant tension prevails between internees and administration. Officials are frustrated because of inability to perform duties responsibly. Vigilance on the part of internees prevents a great deal of administrative action from becoming reality. CPS is recognized

> as a definite slave-labor program, and moral honesty prevents cooperation.
>
> As CPS throughout the Nation grinds on on its last legs (we keep telling ourselves), I feel sure that general unrest and dissatisfaction will break out into active nonviolent noncooperation, a fitting end for CPS.[7]

Copies of this news letter were distributed widely in all of the other Government camps and in some of the church-sponsored units.

Agitation at the Glendora Unit

In February of 1946, prior to the transfer of the camp at Glendora, Calif., from church to Government sponsorship, an organization of assignees, calling themselves "The Irresponsibles," published an open mimeographed letter to the United States Forest Service which introduced the first real attempt of resistance action by a group. The letter is quoted in part:

> For 4½ years you have helped administer a civilian public service camp; now you plan to completely administer it. In so doing we feel that you have not been, and are not now, aware of a number of facts concerning the CPS system. We wish to call these facts to your attention while there is still time to consider them and to act upon them. First, CPS is a slave-labor punitive system dangerously similar to that evolved in Germany and is seriously threatening our American democratic way of life. Second, CPS men have for several years given their labor grudgingly and are increasing resistance to this vicious system; you can expect less and less collaboration from them in perpetuating it.
>
> With these things in mind we are concerned, not so much for ourselves who have been enslaved, but because CPS threatens the democratic society we know. Using CPS as a precedent, bills that would make us a total state have already been introduced in Congress. So far they have been defeated, by a too-narrow margin, but the precedent remains, the bills only waiting for a few more votes.
>
> The second factor of which you seem unaware is an increasing resistance to the CPS system. For several years we in Glendora have done as little work as possible because we did not like being slaves. During the last year, however, we have come to see clearly the threat CPS offers to society; from this stems the present resistance. We do not care to aid in our own enslavement and feel a responsibility to our country and to mankind to make a totalitarian-breeding system unsuccessful. Our fight is not with you; it is with the system. It is not because of personal animosity that we refuse to collaborate with you, but because we wish to make the system unsuccessful. To be sure, slaves do not usually like their masters and you must recognize this byproduct of an evil system if you allow yourselves to be entangled. Our goal is not to fight you; our goal is to destroy CPS.
>
> Sincerely,
>
> THE IRRESPONSIBLES

Quoting further from the same newsletter:

> RESISTANCE NOW!
>
> CPS has been too successful for any of us to have clear consciences about our roles under the system; it is time that we settle with ourselves. If we believe

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[7] Copy on file at National Headquarters, Selective Service System, Washington.

that CPS is an evil system, it is our moral duty to resist it and its operation. We have made CPS succeed so far; we can keep it from succeeding more. We have the manpower; we have the brainpower; do we have the willpower?

The greatest difficulty that we pacifists have is that we are apt to talk and have meetings rather than act. Procrastination is a psychological evasion of action. We find it easy to put off action merely because we are afraid of action; when the prearranged date arrives we set a new one. We speak of March 1—do we mean 1948?

How do accountable men, whole men, react to such a system as CPS? How can they resist nonviolently? There are a number of techniques that can be used singly or in combination to help make CPS an unsuccessful experiment in conscription:

1. We can refuse to take responsibility for the project; that is the job of the camp administrator and his aides—they get paid for it—let's not help them evade the obligations of their positions. We can only take orders.

2. We can slow down and do as little work as possible; we can at least keep the project part of CPS from operating smoothly. The merits of this method are that a few men can start a slow-down, that it can bog a project, and that it is not illegal. Generally those who slow down should be on project, not in administrative positions, overhead, or positions of responsibility.

3. We can refuse to work; it is rumored that this is illegal—but it is sometimes necessary to break the law. The project suffers when men do not work; the primary advantage over the slow-down method is that the individual has more time to spend in a constructive manner.

4. We can walk out of CPS; this method enables a man to personally escape the evils of CPS. To render CPS ineffective and to be socially worth while a walk-out must be done by 99.44/100 percent of the men.

5. We can practice sabotage. This method of resistance is advocated by many pacifists and has been practiced in some CPS camps. A program of sabotage, for success, must have clearly defined goals and close organization.[8]

On March 1, 1946, the camp at Glendora was opened as a Government camp. It was evident upon this change of sponsorship that some very definite plans had been made by the belligerent assignees. However, it took considerable time to identify the leaders and to secure evidence to prosecute them. Several outstanding agitators and troublemakers were identified as the Government investigators proceeded with the initial screening of the camp personnel. Two of these were given orders to transfer to the Minersville, Calif., camp upon the advice of the United States attorney. They refused to transfer and were thereupon reported to the attorney for prosecution.

An Organized Effort at Glendora

On April 24, 1946, 25 assignees at the Glendora camp refused to perform assigned duties. They gave as the reason what they termed the "arbitrary" action of the officials of the System in ordering the transfer of the two agitator objectors from the unit. This situation was reported promptly to the United States attorney at Los Angeles, Calif., on April 25 and prosecution was requested. Upon the advice of the Attorney General, however, such prosecution was delayed. As time elapsed the circumstances grew progressively worse until on May 15, 1946, 82 assignees from Glendora were involved. Shortly after the United States attorney had been advised of these law violations and was determing the proper steps to take, he was advised by the Department of Justice, Washington, D. C., to hold arrests and prosecutions in abeyance until a full and complete investigation and report could be made and submitted by the Federal Bureau of Investigation. When such report had been prepared it would be examined by the Department and a recommendation for action would be made.

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[8] Ibid.

The Spread of Resistance to Other Camps

While this was transpiring the problem of order and discipline became more acute at some other Government camps. The numbers joining the resistance movement at these units were increasing daily and the situation appeared to be getting out of hand. The Civilian Public Service Camps involved were located at Cascade Locks, Oreg.; Three Rivers, Calif.; Mesa, Ariz.; Philadelphia, Pa.; Gatlingburg, Tenn.; Bowie, Md.; and Big Flats, N. Y. In consequence, several conferences were held between representatives of Selective Service and the Department of Justice during May 1946, with a view to encouraging early and speedy prosecutions. It was readily apparent that prosecution was the only available remedy for halting the trend which had begun. The System, however, was confronted with what seemed to be a reluctance upon the part of the Department of Justice to prosecute these cases even though there was substantial evidence of law violation. In the meantime, the situation became critical enough that the technical or Federal agencies operating the camps in question were making plans to discontinue the project use of objector assignees to the civilian work program.

Trial and Conviction of Leaders

On May 18, 1946, only 6 men were arrested out of the 82 involved for over 15 days in the disturbance at Civilian Public Service Camp No. 76, Glendora, Calif. The six arrests did not serve to deter the others from their subversive activities; instead they continued in a refusal-to-work status, and some of the more active resorted to the sabotage of Government property. A conference between representatives of the Department of Justice and Selective Service was therefore held on May 27, 1946, and subsequently 51 more men were arrested.

The trials of this group of violators were originally set for July 30, 1946; however, they were postponed four successive times and the registrants in question were not finally brought to trial until March

8, 1947, approximately one year after the offenses had been committed. During the time that elapsed between the first arrests and the date of the trials in March 1947, 25 of the assignees involved in the difficulty requested to be returned to camp to resume their project duties; this was done and the court cases against them were dropped. Thirty-six more cases were discharged by the United States attorney to facilitate the handling of the trial. The 21 remaining objectors were identified as having been the leaders in the resistance movement at Glendora and the worst of the group of violators. They were prosecuted and convictions obtained for all of the 21 in the Los Angeles Federal court.

The End of the Disturbance

On May 1, 1946, 40 men engaged in a similar disturbance at Civilian Public Service Camp No. 46, Big Flats, N. Y., in sympathy with the Glendora movement. A report of the matter was made to the United States Attorney, Buffalo, N. Y. On May 10, the Federal Bureau of Investigation completed its examination and report covering the situation at the unit. Selective Service was thereupon informed that the attorney at Buffalo wanted to arrest and initiate prosecutive action against all participants in the trouble. However, the Department of Justice instructed him from Washington to arrest only those who could be identified as troublemakers and ringleaders. Following this six men were arrested on May 20 who persisted in their refusal to perform assigned duties. These were the only ones who continued in the refusal-to-work status after May 15. The others, after refusing for 15 days, reported for duty. All six arrested were tried in the Federal court at Buffalo and were convicted.

At the other camps throughout the country where there had been sympathetic demonstrations, all of the assignees returned to work and it was not necessary to prosecute any of them.

Public Reaction to the Resistance Movement

During the prolonged investigation and apparent disregard by the Department of Justice of problem assignees in the C. P. S. Camps, many newspapers and civic and patriotic organizations, especially those that knew the situation as it existed within their own communities, published strong editorials and wrote critical letters of protest. Some organizations, such as the American Legion, passed resolutions condemning the lack of action on the part of the Government. The national executive committee of the Legion at its May 1946 meeting, in response to resolutions from Legion posts throughout the Nation which were interested in the prosecution of conscientious-objector delinquents, passed unanimously the following resolution directed to the President of the United States:

Whereas, it has been called to the attention of The American Legion that many conscientious objectors assigned to work of national importance have refused to work in California, New York, and in other States, and

Whereas, only a small percentage of these men have been arrested and none prosecuted through inactivity or procrastination on the part of the office of the Attorney General of the United States, and

Whereas, this condition constitutes a laxity in law enforcement by the office of the Attorney General of the United States, and results in an unfair discrimination against men in uniform who have honorably served our country and obeyed its laws now therefore

Be it resolved that the national commander be authorized to bring the above facts to the attention of the President of the United States to the end that prosecution be carried forward as provided under Selective Service laws and regulations.

Thus it can be seen what inroads upon the general good will of the Nation toward work of national importance under civilian direction were made by the dissident actions of a handful of unbridled assignees. Their utterly selfish and uncontrolled activities came near to bringing the normally good operations of the entire program and its camp units into gross disrepute.

Opinions of Technical Agencies Operating Camps

The final report of the superintendent of the Germfask camp gave a good account of disciplinary problems at camp level and the opinions of other technical or Federal agencies operating such units, are also of significance in this connection. As has been seen, most of these agencies admitted the value of the camp project work done by conscientious objectors. However, most of them, like the Germfask superintendent, also made reference to the delinquency phase encountered in the employment of the objector. For instance, a report from a regional administrator of the Bureau of Land Management in the Department of Interior stated:

> Because of lack of authority to enforce discipline in problem cases both camp management and project administration was more difficult than would have been the case had there been adequate provision for corrective disciplinary action for agitators and noncooperators. Representatives of Selective Service were most cooperative and sympathetic in this problem, but the lack of basic authority in the Selective Service Act to correct such conditions made it impossible to initiate adequate disciplinary measures. Because of the fact that it was necessary to refer disciplinary cases through civil courts a great deal of delay was involved and in many instances when such cases finally came to trial, sentences were inadequate or cases were dismissed. Such results naturally encouraged others toward noncooperation as the punishment was often less severe than remaining in camp and working.[9]

The Chief, Forest Service, Department of Agriculture, made some pertinent comments as a result of a survey among that agency's Regional Offices to which conscientious objectors had been assigned.

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[9] Ibid.

> If the need for a program similar to the CPS should ever arise again, full cost of the program should, we believe, be borne by the Federal Government. We doubt if any outside group, such as the "historic peace churches," should be called upon to contribute food, clothing, or financial support to the program.
>
> Our field men in general feel that: (1) the establishment and operation of programs, camps, and projects should be solely a function of the Federal Government. (2) There should be no active participation in the actual functioning of the program or any control of the assignees by any religious body or group. (3) In the event of possible future interest by any religious body or association in a similar program, such interest should be confined to an advisory board serving at the national level in a strictly consultive capacity.
>
> The problem of obtaining compliance with camp or work regulations was difficult in some of the camps. It is believed the other suggestions set forth in this letter, if carried out, would do much to improve the morale of the assignees and facilitate conduct of a similar program, including compliance with the necessary work and camp regulations. However, there would still remain the problem of dealing with that small percent of men who refuse to conform to reasonable regulations and who are so disruptive to the discipline that must go with a program of this type if it is to be well ordered. It is suggested special consideration be given to ways and means of rapidly, effectively and with justice removing chronic malingerers and malcontents from the work groups and projects. In some cases this might call for speeding up action on the part of civil law enforcement and judicial agencies in prosecuting actual violators of the laws upon which any program was based. In most cases, however, the failure to comply with camp and work regulations was not, in the recent program, of a type warranting action in the courts. It is this phase of discipline within the organizations that especially deserves consideration.[10]

Here again is indicated the key importance of order and discipline in the whole civilian work program for the Class IV–E objector registrant of Selective Service.

Suggestions for Dealing with Recalcitrants

Some strong opinions have been presented in this and preceding chapters regarding the few assignees in the C. P. S. Camps who attempted to break down the respect of the entire group for law and order. Their purpose was to render unsuccessful the whole civilian work program, and, as a result, these presentations of opinion had to be made, regretful though they might be. This monograph on conscientious objection, among other things, must call striking attention to the individuals in the camps who through wilfully creating disciplinary problems sought to undermine the best efforts (1) of most Class IV–E registrants, (2) of the churches, (3) of the technical agencies, and (4) of Selective Service to justify the forward-looking provisions of the 1940 law.

With the end of World War II these progressive conscientious objector provisions and the System's application of them became a significant part of the American tradition for utilizing during a national emergency the services of citizens whose beliefs did not permit them to bear arms. This important experience must therefore be guarded historically; it may have great future significance in connection with fulfilling an obligation for duty within the limits of faith. In consequence, an effective answer needs to be found to the often-heard question of the camp delinquent, "Well, what are you going to do about it?" and to the statement of some that "We're hot potatoes, too hot even for the Attorney General to handle!"

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[10] Ibid.

Part of the problem of camp order and discipline may have been indigenous with the fundamental approach to the type of objector who was generally assigned to civilian work during the 1940–47 emergency. Perhaps in developing the special legal provisions, classification procedures and work program for him, sight was lost of the fact that outside of his possessing a conscience which did not permit him to serve with the armed forces, he was very much the same kind of a person as the average citizen of the United States. However, in comparison with the registrant who performed combatant duty in the Army or Navy, or even the C.O. accepting noncombatant service therein, he may have been somewhat imposed upon on the one hand and catered to on the other.

To illustrate, he performed a duty to his country by his project activities in the camp and yet there was scant attention given to his welfare along such lines as pay, allowances, and allotments. From the other standpoint Selective Service in its selection, classification and assignment of the Class IV–E registrant, and the System, the churches, and the technical agencies in the operation of the living and working activities in the camps were very considerate in most respects. Less economic hardship for the objector assignee and his family, coupled with a more direct selective process and a more effective camp organization, might result in less delinquency. More incentive to serve in a civilian capacity, even though it might involve the hazards of duty overseas occasionally under gunfire circumstances, would perhaps result in a better appreciation by the conscientious objector of the selection process and of camp order and discipline. At least, under such conditions, this might be expected from assignees cooperative in every respect, from those cooperative but easily influenced and even from the "passive resisters." It might mean nothing to the few bent upon active law violation though it would tend to give them less grounds for such behavior.

For the active recalcitrant, malcontent, maladjusted registrant in camp a more effective procedure of selection and organization must therefore be developed. The basic law and the regulations of Selective Service must provide more discriminating selection for assignment by the System and prompt action for discipline at the camp. There should be but one authority within a camp, preferably a Government official who is an employee of the technical agency concerned with the project, and when an assignee refuses to obey orders, to work, to keep his person and quarters clean or to conduct himself in reasonable fashion, the camp director should be empowered to place him under detention pending a thorough hearing and investigation by himself and his church, Selective Service, medical, legal and other staff. Upon the continuation of the refusal, if the orders are reissued following the hearing, the director should have authority to extend the detention and to refer the case to (1) a regional and Presidential board of church, Selective Service, medical, legal, and other representatives for prompt action; (2) to the United States attorney for immediate arrest and prosecution; or (3) to the System for prompt reclassification and induction into the armed forces.

XIII

THE OBJECTOR WHO VIOLATED THE LAW

Regarding matters of law violation, most of the attention so far has been given to conscientious objectors (Class IV–E registrants) who failed to comply with civilian work assignments during the Selective Service program of 1940–47. Those creating problems of order and discipline by counseling or aiding in such evasion among other assignees at Civilian Public Service Camps, have also been mentioned. Likewise noted were those failing to report for work of national importance to the local boards of the System or to the camps.

These three types of violations pertained only to registrants selected for service who objected to both combatant and noncombatant duty with the armed forces. Objectors were also involved in three additional types of violations: failure of the Class I–A–O registrant to report for induction into noncombatant service and failure of any C. O. to return his Selective Service Questionnaire (DSS Form 40) or to register. The last three were also pertinent for other registrants.

Definition of a Delinquent

A conscientious objector who violated the basic law of the System by failing or neglecting to perform one of the above duties was termed a delinquent. Delinquency was somewhat broader than this for the objector, and for other registrants, too, as will be seen from the general regulations which were in effect March 31, 1947:

> 601.5. *Delinquent.*—A "delinquent" is a man liable for training and service under the provisions of the Selective Training and Service Act of 1940, as amended, who fails or neglects to perform any duty required of him under the provisions of the Selective Training and Service Act of 1940, as amended, and regulations made pursuant thereto.

The main concern of the present chapter is with the law violations or delinquencies of objectors along the six lines already detailed. Monograph No. 14, *The Enforcement of the Selective Service Law* deals with the entire problem of violation.

The Trial of Violators by Civil Authority

Before discussing the six types of delinquency further, however, it should perhaps be said that during World War II the enforcement of Federal conscription was, for the first time in the history of the United States, made the sole responsibility of civil authority. All law-violating conscientious objectors were therefore proceeded against in the Federal Courts under the criminal provisions of the Selective Training and Service Act of 1940.

The Penalty Provisions of the Act

Attention should likewise be given to the enforcement provisions of the 1940 Act. They were contained in section 11 which read as follows:

> Any person charged as herein provided with the duty of carrying out any of the provisions of this act, or the rules or regulations made or directions given thereunder, who shall knowingly fail or neglect to perform such duty, and any person charged with such duty, or having and exercising any authority under said act, rules, regulations, or directions who shall knowingly make, or be a party to the making, of any false, improper, or incorrect registration, classification, physical or mental examination, deferment, induction, enrollment, or muster, and any person who shall knowingly make, or be a party to the making of, any false statement or certificate as to the fitness or unfitness or liability or nonliability of himself or any other person for service under the provisions of this act, or rules, regulations, or directions made pursuant thereto, or who otherwise evades registration or service in the land or naval forces or any of the requirements of this act, or who knowingly counsels, aids, or abets another to evade registration or service in the land or naval forces or any of the requirements of this act, or of said rules, regulations, or directions, or who in any manner shall knowingly fail or neglect to perform any duty required of him under or in the execution of this act, or rules or regulations made pursuant to this act, or any person or persons who shall knowingly hinder or interfere in any way by force or by violence with the administration of this act or the rules or regulations made pursuant thereto, or conspire to do so, shall, upon conviction in the district court of the United States having jurisdiction thereof, be punished by imprisonment for not more than 5 years or a fine of not more than $10,000, or by both such fine and imprisonment, or if subject to military or naval law may be tried by court martial, and, on conviction, shall suffer such punishment as a court martial in any case arising under this act unless such person has been actually inducted for the training and service prescribed under this act or unless he is subject to trial by court martial under laws in force prior to the enactment of this act. Precedence shall be given by courts to the trial cases arising under this act.

Thus the law of 1940 provided that no person should be tried by a military or naval court martial in any case unless such person had actually been inducted into the armed forces. The United States Supreme Court further construed the language of the act to mean that the Congress did not intend "to subject to military jurisdiction those who are unwilling to come to the defense of their Nation in its hour of peril" and held that the armed forces had "no authority to exercise force for the purpose of inducting selectees into the service."[1]

No Special Treatment for Delinquent Objectors

It should also be said that under the 1940 Act a registrant who claimed conscientious objection was subject at all times to the same provisions as any other man with liability thereunder. Only two special things were expected of the conscientious objector and they were in nowise required. One was preparing and submitting to his Selective Service local board the Special Form for Conscientious Objector (DSS Form 47) which detailed his claim. Failure to fill out and return this blank was not considered a violation of the law; it had only the effect of withdrawing the claim of objection which had previously been made in the Questionnaire (DSS Form 40).

The second special item was the opportunity offered the objector to appear before a hearing officer if his claim was referred to the Department of Justice by an appeal board of the System. However, in this, as in the other instance, failure to put in an appearance was not considered a delinquency; it merely became another item of information to the Department in the making of its recommendation for his classification.

Failure to Register, Return Questionnaire or Report for Physical

A return may now be made to the types of violation for which conscientious objectors became delinquent, were indicted, prosecuted, and convicted if found guilty. Objectors who failed or refused to register or to return their Questionnaires were for the most part registrants absolutely or totally opposed to combatant, noncombatant, civilian or any other service whatsoever. They were completely noncooperative or uncooperative and in the main would serve prison sentences rather than perform any type of duty under the Selective Service Act. This was true to a lesser degree of those who failed to report for physical examination because a number of other factors entered into the matter of examination. Often a registrant who claimed objection to service in the armed forces was classified as available for such duty and called up for his physical during that early period of the System's operation when passing the examination meant almost automatic induction. This was before preinduction physical examinations were given at the induction stations and also when a selectee was assumed to have taken the oath if he was in the group to which it was administered.[2]

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[1] *Billings* v. *Truesdell,* 321 U. S. 542, 64 S. Ct. 737 (1944).

[2] Consult special monographs on *Enforcement of the Selective Service Law* (No. 14) and *Physical Examination of Selective Service Registrants* (No. 15).

Although objectors failing to report for examination were clearly violators of the law, such delinquency was due to their feeling that they were entitled to be in Class I–A–O as available for noncombatant service, rather than in I–A available for combatant duty where they had been placed. The same was true of objectors claiming Class IV–E, available for civilian work, who were classified either in I–A–O or I–A. Their behavior was in accordance with the dictates of conscience. They chose prison rather than the violation of belief. This is discussed further in connection with parolees, amnesty, and the new procedure of section 642.41(d) in the general regulations.

Refusal to Report for Work of National Importance

Very few conscientious objectors in Class IV–E had a valid excuse for failing to report for work of national importance in a Civilian Public Service Camp. For the most part these noncooperators were absolutists, that is, total objectors who refused to accept any service whatever, even though they had complied with the registration and classification provisions of the law. One "absolutist" expressed his opposition to any kind of duty, and also his helplessness of achieving complete success in this regard, as follows in a letter to his local board which is on file at the National Headquarters of the System:

> No matter what I do as a living being on this earth, my very existence as a citizen and potential taxpayer of this country can be interpreted into being a conscious contribution to the war effort. The only way I could truly be a conscientious objector would be to absolve myself of all activities which *in any way* could be viewed as helping the war effort. This state of being can be achieved only by suicide, the destruction of my own life, which is itself an indirect aid to the war effort.

When an objector failed to comply with an Order to Report for Work of National Importance (DSS Form 50), information regarding him was provided the United States attorney by his local board on a Delinquent Registrant Report (DSS Form 550). If the board believed that by reasonable effort it might be able to locate the registrant and secure his compliance, however, it could delay the mailing of the Form 550 for a period not in excess of 30 days.

It might appear that some objectors were justified in their refusal to accept even a civilian work assignment. But a sounder legal course would have been for them to comply with the Order to Report for Work of National Importance and then to test their claims for absolute objection through application for a *writ of habeas corpus*. However, in the latter months of the Selective Service operation, rulings of the Supreme Court [3] held that defendants could raise the question of the validity of their classifications as a defense in Federal court. This they had not been permitted to do previously.

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[3] *Falbo* v. *United States,* 320 U. S. 549; *Billings* v. *Truesdell,* 321 U. S. 542; *Estep* v. *United States,* 327 U. S. 114; *Smith* v. *United States,* ibid.; *Gibson* v. *United States, Dodez* v. *Same,* 67 S. Ct. 301.

One registrant who thought he should have been deferred from any service but who would have been satisfied with a IV–E classification by the System, reported for induction as an objector and then filed a *writ of habeas corpus* to obtain his release.[4] Others with similar feelings might have tried this, but it would have been more difficult to succeed in cases where eligibility for deferment was claimed than where the claim was to a statutory-exempt status, such as that of a minister of religion. In the case cited the assignee was successful in securing a release but not by showing he was wrongly classified. He was released on the claim that he had been deprived of a procedural right.

Failure To Perform Duties in C. P. S. Camp

Registrants who after reporting to camps failed to comply with orders, were sometimes characterized as "men against the State." They were reported to the Department of Justice for refusal to comply with an order of transfer, for absence without leave or taking unauthorized leave, and for refusal to work. The first and second were sometimes regarded as types of desertion, since they involved refusal to report to or remain in camp. Violations resulting from failure to perform camp duties, then, generally constituted "desertion" and refusal to work.

Other Violations

Objectors who were convicted of counseling or aiding evasion at camp or otherwise were a type apart from the others. In this connection there appears to have been no question involved regarding their classification as C. O. violators in IV–E.

Other violations were such minor things as failure to carry a classification card. This was considered a technical violation and was sufficient grounds for holding a registrant in custody by police officers until his status could be verified or until more serious charges were preferred. There seems to have been only one record of the actual prosecution of a C. O. for failure to have his classification card in possession.

Ordering Delinquents To Report for Service

During the latter part of Selective Service operations it became the practice to classify an objector or other registrant, even if he failed to return his Questionnaire (DSS Form 40), and to order him up for service although he had not reported for a preinduction physical examination. This change took place on November 1, 1943, when section 642.12 of the general regulations was amended by Amendment No. 181 (8 F. R. 14115). Delinquents who had not already been classified at the time of the change, as well as registrants who became delinquent in the future, were to be placed in a class available for duty. The effect was one of eliminating delinquents who failed to return their Questionnaires or to report for examination. If they persisted in refusing to comply, they became delinquent for failure to report for induction or assignment and were referred to the Department of Justice. The change was a general one adopted for all registrants in the interests of a more effective operation of the System.

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[4] U. S. District Court, District of Oregon, United States, Ex rel. *George Ballard Reeves* v. *Herbert L. Murch and Lewis B. Hershey,* No. CIV–2422, September 18, 1944.

It should perhaps be mentioned also at this point that whenever any local board suspected a person, other than one of its own registrants, of being a delinquent, the general regulations provided for it to advise such person by letter of its suspicions and direct him to submit evidence concerning his Selective Service status to the board. He could even be directed to appear personally before the board. Thereafter, unless the board was convinced he was not a delinquent, it was required to report the matter in a letter to the United States attorney. This procedure did not play much of a role, however, as regards conscientious objector delinquents.

Action by National Headquarters

As mentioned much earlier, both official and unofficial questions sometimes were raised with National Headquarters of Selective Service on the classifications of objector and other registrants who had been reported to the United States attorney. Such inquiries were occasionally made even when registrants were being tried in court. If National Headquarters became convinced that the person was clearly entitled to an exempt or deferred classification, it arranged for prosecutive action to be postponed or for court trial to be recessed for continuation later, so that the registrant's case could be reviewed by the Presidential Appeal Board and an advisory opinion expressed for the assistance of the prosecution or the court.

At a later period in operations the Director of Selective Service sometimes went as far as advising the Justice Department of his opinion in instances where it was strongly felt by National Headquarters that the objector or other registrant had been erroneously classified. He would also recommend at such times, that consideration be given to returning the case to the local board of jurisdiction with a view to further classification action, and, if necessary, appeal to the appropriate board of appeal or to the President. Such recommendation was made in but a very few cases, however. Along the same line a number of cases were returned to local boards by United States attorneys for the correction of procedural classification errors and in other instances the courts refused to convict registrants for reported delinquencies, feeling that they had not been given the exempt classifications to which they were entitled.

A decision was also made by the Director that cases of delinquency involving any religious question in a classification action were to be reviewed in State and National Headquarters before the delinquencies were reported to the United States attorney. This policy was based upon two premises. The first was that where the registrant claimed improper classification or procedure, a State Director or the Director should make the appropriate appeal to assure further consideration. It was believed likewise that when a case had been reviewed by a State Director and the Director of Selective Service and they had concurred with the local board classification and had found that all procedural action had been proper, it could be more expeditiously handled by the United States attorney. The decision to provide for such review was not made until a short time before the expiration of the act. It was contained in paragraph (d) added to Section 642.41 by Amendment No. 423 to the regulations, effective March 7, 1947, which read as follows:

> (d) Whenever a delinquent registrant has injected the element of religion into his classification, claiming to be a minister of religion, a student preparing for the ministry, or one who is conscientiously opposed to participation in war, he shall not be reported to the United States attorney on Delinquent Registrant Report (DSS Form 550) until his file has been reviewed by the State Director of Selective Service and by the Director of Selective Service. In any such case the local board shall forward the Delinquent Registrant Report (DSS Form 550) together with the file of the registrant to the State Director of Selective Service, who shall review the file and transmit it to the Director of Selective Service with his comment and recommendation. The Director of Selective Service shall review the file, take such action as he deems necessary, and return the file to the local board. When the registrant's delinquency still exists after the taking of any action indicated by the Director of Selective Service the local board shall mail the Delinquent Registrant Report (DSS Form 550) to the United States attorney. If the registrant again becomes delinquent after the completion of any further procedure in his processing and classification as was indicated to be necessary by the Director of Selective Service, the local board shall then prepare and mail a Deliquent Registrant Report (DSS Form 550) to the United States Attorney without again referring the file of the registrant to the State Director of Selective Service or to the Direcor of Selective Service.[5]

The above discussion and subsequent items indicate that conclusions of too broad a nature should not be based upon reports of delinquency or suspected delinquency of conscientious objectors and other registrants which were made by the local board to the United States attorney. In some cases the delinquencies reported were found later to be of a technical nature only. For example, some men who had voluntarily enlisted in the armed forces were charged with failure to report for induction. Then, too, other registrants reported for delinquency had failed to receive orders and information of that nature which had been sent to them by their boards.

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[5] Sec. 642.41 was added to the Regulations by Amendment No. 181, effective November 1, 1943.

The Liberal Consideration Given to Delinquents

In the processing of objector and other registrant violators of the Selective Service law both the Department of Justice and the System were mindful of the fact that the purpose of the 1940 Act was "to increase and train the personnel of the armed forces of the United States." Accordingly, those charged with the enforcement of the law attempted through education and persuasion to secure compliance with its provisions, if possible, rather than to prosecute, convict and incarcerate. Ordinarily every effort was made and every opportunity was given registrants to comply. If they had unknowingly or unwillingly become delinquents or if, after having willfully become delinquents, they offered compliance, it was usually accepted in lieu of prosecution. Opportunities to comply were often granted to registrants even after they had been indicted and were facing trial; in some instances even after conviction but before sentencing.

Justice Department Statistics on Delinquent Objectors

The Department of Justice compiled statistics on convictions of all Selective Service delinquents by fiscal years through June 30, 1946. This information was broken down to give separate figures for those who claimed to be conscientious objectors. According to Justice Department reports slightly more than 6,000 of the approximately 16,000 convicted violators of the Selective Training and Service Act of 1940, as amended, were professed religious or conscientious objectors. About a third of these objector cases had had their claims affirmed by the classification actions of the System but then were convicted for failure to report under an assignment to work of national importance in a Civilian Public Service Camp or for refusal to comply with the orders or rules at such camp after having reported for service there. The claims of the other two-thirds either had not been examined or had been denied by one or more classification agencies of Selective Service.

Types of Objectors Convicted to June 30, 1944

From 1940 until June 30, 1944 a total of 4,363 conscientious objectors were convicted for violation of the 1940 law (Table No. 10). Of these 3,079, or almost three-fourths, were Jehovah's Witnesses. A total of 155 were Negroes who classified themselves for religious purposes as Moslems or Hebrews, 381 were members of large religious groups, 186 of small religious groups and 259 claimed no religious affiliation, while 237 were objectors on political, philosophical, or rational grounds.

TABLE No. 10.—*Conscientious objectors convicted of violation of the Selective Service Act from October 16, 1940 to June 30, 1944, by religious affiliations and type of violation*[1]

Religious affiliation	Type of violation							
	Failure to register[2]	Failure to return questionnaire	Failure to report for preliminary physical examination	Failure to report for induction	Failure to report for work of national importance	Refusal to comply with civilian work assignment[3]	Counseling or aiding evasion	Total
Jehovah's Witnesses		[4]1	13	1,925	1,102	36	2	3,079
Negro "Moslems," "Hebrews," etc.	[5]99	9	5	21	4		17	155
Members of large religious groups	43	10	10	225	55	38		381
Members of small religious groups	25	3	6	104	33	11	4	186
Members of no religious group	46	18	15	145	23	9	3	259
Political, philosophical, and rational objectors	43	5	14	137	15	22	1	237
Not classified	2	2	6	39	4	13		66
Total	258	48	69	2,596	1,236	129	27	[6]4,363

[1] Elliff, Nathan T., "The Prosecution of Conscientious Objectors under the Selective Service Act," 6 *Federal Bar Journal* 42.

[2] Includes four cases in which the charge was failure to possess Registration Certificates.

[3] Cases in which IV-E registrants who had reported for work of national importance under civilian direction had left without authority or had refused to perform their assigned duties.

[4] False statements in Questionnaire.

[5] Certain of these defendants were also convicted for counseling evasion, but are listed only for failure to register.

[6] From Oct. 16, 1940, to June 30, 1942, there were 386 convictions, from July 1, 1942, to June 30, 1943, 1,685, and from July 1, 1943, to June 30, 1944, 2,292. 1,826 of the 2,292 defendants convicted from July 1, 1943, to June 30, 1944, were Jehovah's Witnesses.

Nearly two-thirds of the Jehovah's Witnesses were convicted of failure to report for induction and more than 1,102 for refusing to report for work of national importance. Of the 155 Negro objectors who listed themselves as belonging to non-Christian religious groups, 99 or about two-thirds failed to register and 21 to report for induction. Most of these registrants listed themselves as Moslems and as such they did not feel obligated to serve in the armed forces of the United States.

The C. O.'s representing the larger religious congregations were confined to the larger of the so-called peace churches, such as the

Society of Friends and the Mennonites. As a rule, violations by members of these groups were in rough proportion to the size of the church membership demonstrating that opposition to the law was not concentrated in any one group. In this category, as in most of the others, a majority of convictions were for failure to report for induction. However, there was a scattering of other types of offenses, except quite significantly that none of the members of the large religious groups were convicted for counseling or aiding evasion. Equally important was the fact that this was the only category of religious affiliation that had no such type of delinquency.

Registrants described as "political, philosophical, and rational objectors" included those who apparently based their objection on political and social philosophy regarding war rather than on religious training or belief. Individuals who refused to comply with the law for purely political reasons, that is, for reasons of political nature which were not associated with a professed objection to all war, were not included in these statistics. Examples of such objectors were members of the Nationalist Party in Puerto Rico who opposed the authority of the United States on that island, certain American citizens of Japanese ancestry who either professed loyalty to Japan or objected to their exclusion from military zones, and certain German and Italian sympathizers.

Jehovah's Witnesses

Further comment should be made on the large group of Jehovah's Witnesses who were convicted for delinquency. It is important to remember that as a rule they were not denied exemption from combatant or noncombatant service as conscientious objectors. Many were not classified as objectors at all but this was partly due to their refusal to request or accept such classification. Also more than any other group, they refused after classification and even after conviction to cooperate in the work program in lieu of a prison sentence. The Jehovah's Witnesses usually sought complete exemption from all service the same as that accorded under the act to ministers of religion. They based this approach on the principle that every member of their group was considered by them to be the equivalent of an ordained minister. While many Jehovah's Witnesses were classified as ministers by Selective Service, the courts repeatedly held that active membership in the group did not automatically entitle the individual to ministerial exemption.[6]

The Jehovah's Witnesses contended that they had no legal obligation for submitting to induction or to work of national importance under civilian direction. What is more, members of the group never accepted the decisions of law courts to the contrary. Since they believed they were arbitrarily classified by the System, whenever denied a ministerial exemption, they refused to comply and had to be prosecuted. By refusing to comply they deprived themselves of the opportunity to appeal their classifications, and to have them tested in court by means of *habeas corpus* proceedings after induction.

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[6] Elliff, Nathan T. *Jehovah's Witnesses and the Selective Service Act.* 31 Va. L. Rev. 811 (Richmond: 1944–45).

Type of Violation by Year of Operation

According to the reports made available by the Department of Justice to the Director of Selective Service each year on the enforcement of the Selective Training and Service Act of 1940, as amended, a total of 15,758 convictions, as has been noted, were obtained for violations of this law up to June 30, 1946. In 6,086 of these cases the defendants professed some type of religious conscientious objection to complying with the provisions of the act (Table No. 11). This amounted to almost 40 percent of the total delinquency convictions, which seems rather large in view of the fact that ministers and ministerial students were granted exemptions or deferments. On the other hand, 4,411 of these cases were Jehovah's Witnesses.

TABLE NO. 11.—*All convictions for violation of the Selective Service Act involving professed religious or conscientious objection, by religious affiliation and period, from October 16, 1940, to June 30, 1946*

Religious affiliation	Period					
	Oct. 10, 1940, to June 30, 1942	July 1, 1942, to June 30, 1943	July 1, 1943, to June 30, 1944	July 1, 1944, to June 30, 1945	July 1, 1945, to June 30, 1946	Total
Jehovah's Witnesses	167	1,086	1,826	913	419	4,411
Negro "Moslem," "Hebrews," etc	10	128	17	11	1	167
Members of large religious groups	65	173	143	81	60	522
Members of small religious groups	29	60	97	81	43	310
Members of no organized religious group	53	113	93	32	25	316
Political, philosophical, and rational objectors	55	112	70	13	5	255
Not classified	7	13	46	22	17	105
Total	386	1,685	2,292	1,153	570	6,086

An analysis of conscientious objector convictions by year of occurrence reveals that the fiscal year 1943–44 was the time of maximum activity in this regard. More than a third of all convictions for the entire period covered, occurred during this year. The next highest number was for the fiscal year ending in 1943 and the third highest for fiscal year 1945.

Failure to report for induction accounted for more than one-half of all convictions and refusal to report for civilian work constituted more than a fourth (Table No. 12). From October 16, 1940, to June 30, 1946, 203 objectors were convicted for a second time and two for three times each as refusing to comply with the provisions of the act. More than one-third of these second- and third-time convictions were during the last year of the period.

TABLE NO. 12.—*All convictions for violation of the Selective Service Act involving professed religious or conscientious objection, by types of violations and period from Oct. 16, 1940, to June 30, 1946*

Type of violation	Period					
	Oct. 10, 1940, to June 30, 1942	July 1, 1942, to June 30, 1943	July 1, 1943, to June 30, 1944	July 1, 1944, to June 30, 1945	July 1, 1945, to June 30, 1946	Total
Failure to register [1]	112	133	13	8	5	271
Failure to return questionnaire [2]	26	14	9	1	1	51
Failure to report for preliminary physical examination	18	32	19	1	1	71
Failure to report for induction	128	916	1,551	735	391	3,721
Failure to report for work of national importance	99	519	618	303	85	1,624
Failure to comply with civilian work assignment [3]	1	49	79	104	87	320
Counseling or aiding evasion	2	22	3	1		28
Total	386	1,685	2,292	1,153	570	6,086

[1] Includes 4 cases in which the charge was failure to possess Registration Certificate.

[2] Includes 2 cases of false statements in Questionnaire.

[3] Cases in which IV-E registrants who have reported for work of national importance under civilian direction had left without authority or had refused to perform their assigned duties.

Religious Affiliation of Convicted Objectors

As already stated, Jehovah's Witnesses constituted well over two-thirds of the total number of registrant objectors convicted of violation or delinquency under the provisions of the 1940 Act. The period of maximum conviction for this group was in fiscal year 1943–44 when 1,826 such actions occurred (Table No. 11). A total of 1,086 convictions occurred in fiscal year 1943 for such objectors. A total of 167 convictions were of Negroes who claimed to be Hebrews and Moslems, 128 of which occurred in fiscal year 1943. A total of 522 members of large religious groups, the so-called peace churches, were convicted during Selective Service operations. More than one-third of these were in the fiscal year ending 1943 and nearly 30 percent in fiscal 1944. From the total of 310 members in small religious groups who were convicted, 97 or about 30 percent, were so acted upon in the fiscal year 1943–44. The fiscal year of maximum number of convictions for objectors who were members of no organized religious group or who objected on political, philosophical, and rational grounds was 1943.

The distribution of convicted objectors by religious affiliation and offense was approximately the same for the entire period 1940–46, as was stated earlier for the period 1940–44 (Table No. 10). That is to say, Jehovah's Witnesses, which constituted the bulk of the group, were overwhelmingly convicted of failure to report for induction and for work of national importance. The Negro objectors, as in the earlier period, were mainly convicted for refusing to register, while the chief cause of conviction for all other categories of religious affiliation was failing to report for induction.

Length of Sentence by Period

Slightly over one-fourth of all convictions of conscientious objectors, for violating the Selective Service Act, resulted in sentences of from 4 to 5 years (Table No. 13). About 30 percent of these delinquents were sentenced from 2 to 3 years and nearly 20 percent from 1 to 2 years. The maximum sentence under the law was 5 years.

TABLE NO. 13.—*All convictions for violation of the Selective Service Act involving professed religious or conscientious objection by type of sentence and period from Oct. 16, 1940, to June 30, 1946*

Type of sentence [1]	Period											
	Oct. 16, 1940, to June 30, 1942		July 1, 1942, to June 30, 1943		July 1, 1943, to June 30, 1944		July 1, 1944, to June 30, 1945		July 1, 1945, to June 30, 1946		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Fine only	2	0.5	------	------	------	------	2	0.2	8	1.4	12	0.2
Probation	30	7.8	56	3.3	77	3.4	55	4.8	51	8.9	269	4.4
1 month or less	5	1.3	5	.3	7	.3	3	.3	6	1.1	26	.4
More than 1 month to and including 6 months	18	4.7	18	1.1	12	.5	6	.5	47	8.2	101	1.7
More than 6 months to and including 1 year and 1 day	83	21.5	87	5.2	130	5.7	106	9.2	111	19.5	517	8.5
More than 1 year and 1 day to and including 2 years	112	29.0	246	14.6	391	17.0	268	23.2	172	30.2	1,189	19.5
More than 2 years to and including 3 years	68	17.6	675	40.1	713	31.1	265	23.0	125	21.9	1,846	30.3
More than 3 years to and including 4 years	39	10.1	191	11.3	224	9.8	127	11.0	18	3.2	599	9.9
More than 4 years to and including 5 years	29	7.5	405	24.0	738	32.2	321	27.8	32	5.6	1,525	25.1
More than 5 years [2]	------	------	2	.1	------	------	------	------	------	------	2	------
Total	386	100.0	1,685	100.0	2,292	100.0	1,153	100.0	570	100.0	6,086	100.0

[1] In many cases, fines were imposed in addition to prison or jail sentences. No attempt is made to indicate such combination sentences.

[2] The maximum prison sentence under the Act was five years. In these cases the defendants were convicted of several violations and given sentences on each to run consecutively.

Examination of the figures for individual years discloses a striking trend. Convictions secured during the first year and one-half of operations, from October 16, 1940, to June 30, 1942, resulted in sentences about one-half of which were from more than 6 months up to and including 2 years, while 35 percent resulted in more severe sentences. In the fiscal year ending June 30, 1943, only 20 percent of the convicted persons received sentences ranging from 6 months plus to 2 years, while 75 percent were given more severe sentences, that is, more than 2 years to, and including, 5 years. About the same distribution can be noted in the year ending June 30, 1944, except that while the percentage of more severe sentences were about the same as to total, a larger proportion of them were in the 5-year group.

The trend toward longer sentences appears to be checked in 1945, while the year ending June 30, 1946, has a distribution closely approximating that of the initial period. These trends probably reflect successive changes in the general attitude of the country during the war. The percentage of convictions by type of sentence and period is expressed graphically in Figure No. 1.

The Last Report of the Justice Department

On June 30, 1946, 271 conscientious objector cases were still pending before the Federal courts. A total of 118 of these involved Jehovah's Witnesses, 83 of whom were charged with failure to report for induction, 19 with refusing to report for the civilian program and 16 with failure to comply with orders and regulations after having reported to Civilian Public Service Camps. The remaining 153 of the pending cases included 12 who failed to report for induction and 141 cases who did not comply with instructions after reporting for work of national importance.

In the last year for which a statistical report was available from the Department of Justice, fiscal year 1946, the only increase in the number of cases was for noncompliance at Civilian Public Service Camps. The large number of cases in this category was due to efforts on the part of a small number of conscientious objectors who challenged the validity of the civilian work program and willfully created problems of order and discipline.

As of June 30, 1946, only 1,199 convicted objectors were still serving sentences in prison. Of these, 1,046 or almost 90 per cent were Jehovah's Witnesses and only 153 were conscientious objectors who did not involve a claim of being ministers.

Parole to Civilian Public Service Camps

It will now be instructive to go beyond the conviction of the objector who violated the Selective Service law. Pursuant to the authority contained in the 1940 Act and in Executive Order No. 8641 of the President of the United States, issued January 18, 1941,[7] any man convicted of a violation of the law was eligible for parole for certain purposes, including work of national importance at a Civilian Public Service Camp. In accordance with the procedures agreed upon between the Attorney General and the Director of Selective Service during the 6½-year life of the act, 65 men were sent to camps as parolees after conviction for law violation or delinquency.

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[7] 6 F. R. 563 (Washington: 1941).

ALL CONVICTIONS FOR VIOLATION, ON A PERCENTAGE BASIS, OF THE SELECTIVE SERVICE ACT INVOLVING PROFESSED RELIGIOUS OR CONSCIENTIOUS OBJECTION BY TYPE OF SENTENCE AND PERIOD FROM OCTOBER 16, 1940 TO JUNE 30, 1946

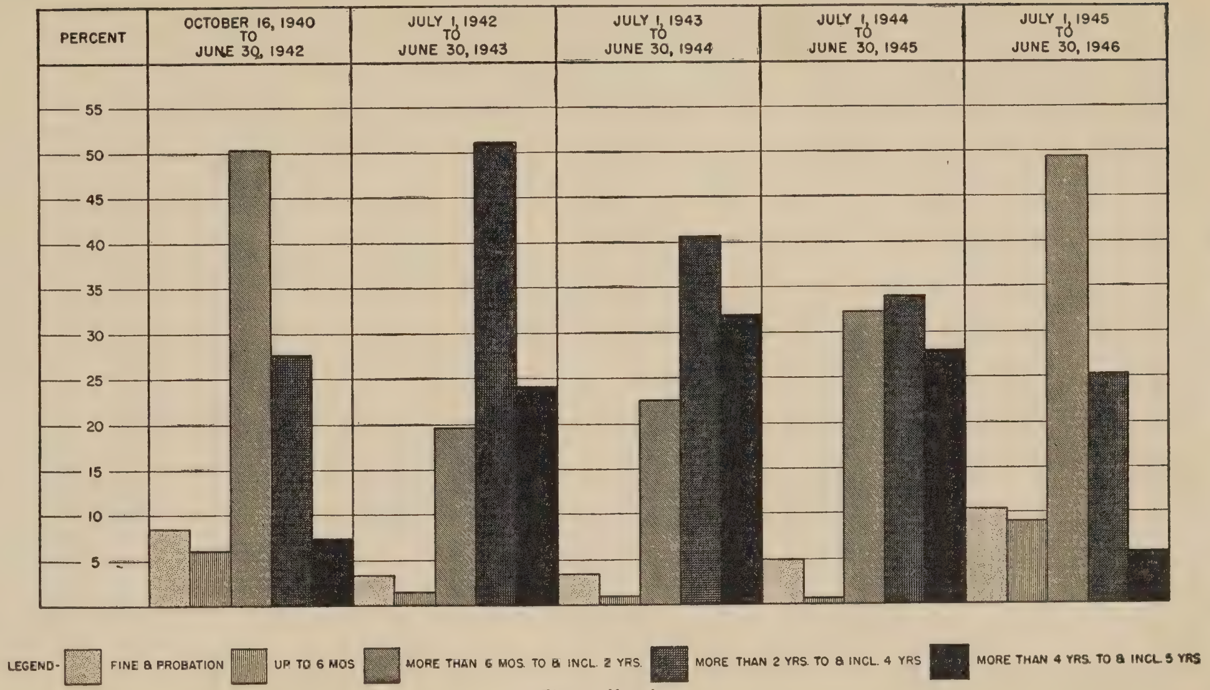

Figure No. 1.

The first 44 of these parolees were sent to camp by the Bureau of Prisons under special agreement with National Headquarters and in this process they were not actually reclassified IV–E by a local board, nor were they issued the usual order by a board to report for civilian work assignment. These men were not counted by the Camp Operations Division at National Headquarters as assignees in the usual sense of the word. They were not included in any figures of men entering camp or of men being discharged. However, Table No. 14 presents the totals of these 44 objectors received in camps and released from such units by half year.

TABLE NO. 14.—*Parolees from convictions of Selective Service Act violation received in Civilian Public Service Camps and released pursuant to special arrangements with the Bureau of Prisons and not otherwise considered as assignees, by half-year from June 1941 to May 1946*

Half year	Number	
	Received	Released
To June 1941	6	0
July to December 1941	9	5
January to June 1942	10	9
July to December 1942	16	5
January to June 1943	3	5
July to December 1943	0	6
January to June 1944	0	9
July to December 1944	0	2
January to June 1945	0	0
July to December 1945	0	0
January to May 1946	0	3
Total	44	44

After prison panel local boards were set up in February 1943 to enable convicted offenders to serve in the armed forces, 21 parolees were forwarded to Civilian Public Service Camps for work of national importance under provisions similar to those which were being applied to regular assignees. Separate information on the dates of their reception at, and release from, camp is not available since they were included in the general statistics on the camps.

An examination of the records available on all 65 parolees shows that 27 of them had been convicted for failure to register and 21 others for refusal to report for induction into the armed forces (Table No. 15).

TABLE NO. 15.—*Parolees to Civilian Public Service Camps by types of violation of the Selective Service Act for which convicted, October 1940 to March 1947*

Type of violation:	*Number*
Failure to register	27
Failure to return questionnaire	2
Failure to report changes of address	1
Failure to report for physical examination	2
Failure to report for induction	21
Failure to report for work of national importance	4
Information not available	8
Total	65

From this statistical information and from details furnished by an examination of the individual files of these cases it appears likely that a number of parolees, convicted for failure to register or failure to perform certain other duties connected with classification, later became convinced that compliance would have been proper in their cases. It also seems likely that further information, education, and persuasion might have decreased the number of delinquents who, because of claiming conscientious objection, failed to comply with requirements as to registration and keeping their local boards informed about themselves. Indeed, related data showing a reduction in the number of convictions for this type of violation after June 30, 1943, support this interpretation, although the age and number of the new registrants may also have been important factors.

Brief

Generally speaking, violations of the Selective Training and Service Act of 1940 by conscientious objector registrants were of six kinds: failure to (1) register, (2) return Selective Service questionnaires and (3) report for physical examination; refusal (4) to report for induction into the armed forces or for assignment to civilian work of national importance and (5) to obey orders at C. P. S. Camps; and (6) counseling or aiding evasion in these and other respects.

The penalty provisions of the World War II law established 5 years of imprisonment or a fine of not more than $10,000 or both for violators and designated civil trial in the Federal courts for such delinquency. However, Selective Service and the Department of Justice desiring the maximum operation of the act for its primary purpose of procuring manpower for the armed forces, were in one sense very liberal as to enforcement. In cases of violation the first and continuous effort was to secure compliance by the registrants and in such event to drop the charges of delinquency. This was true at various stages: reporting, charging and arresting; indictment, prosecution, conviction and imprisonment. Even after imprisonment an objector might be paroled to comply with the law.

During the 6½ years of the System's operation 6,086 C. O.'s were convicted of violation. This was more than a third of the 15,758 registrant convictions. However, 4,411 or more than two-thirds of the objectors were Jehovah's Witnesses. As would be expected most of the convictions were made at the height of the war when calls for induction were large: 1,086 in fiscal year 1942–43 and 1,826 in 1943–44. Of the total C. O. convictions 3,722 were for failing to report for induction and 1,624 for refusing to report for assignment to the civilian work program. Practically all of the convictions including problem cases of order and discipline at Civilian Public Service Camps carried prison sentences and some also carried fines. The median sentence was between 2 and 3 years though again there was a very marked tendency for longer sentences during the peak of war activities.

In comparison with the estimated total of 50,000 registrants classified as conscientious objectors, 6,000 convictions is a substantial proportion. As the experience of the System progressed, however, the value of educational and persuasive measures in reducing violation became increasingly evident and their successful application grew. More intensive effort in this regard might have made even greater inroads upon the problem of delinquency among conscientious objectors.

XIV

COURT DECISIONS INVOLVING CONSCIENTIOUS OBJECTION

The problem of service or duty for conscientious objectors during a national emergency like that of World War II, could not be posed for so comprehensive a solution as in the Selective Service Act of 1940, without creating significant court litigation. The general proposition in the United States during the 1940–47 period was for all liable, selected persons to serve. However, consideration of the Nation's history on religious tolerance and of the pacifist backgrounds for certain churches caused the Congress to make the individual's faith a condition upon which duty should be predicated. The basic law implemented by the general regulations of the System allowed registrants whose beliefs were opposed to war and armed forces, to file claims for noncombatant service in the Army and Navy or for assignment to work of national importance in a Civilian Public Service Camp.

The educational and persuasive efforts of Selective Service in classification and other matters through its local and appeal boards, Presidential Appeal Board and State and National Headquarters were not always enough to convince the objector of the fairness, justice, and impartialness of this new attempt to help him fulfill his obligation. The same was sometimes true with respect to the Justice Department's investigation and hearing of his case. In consequence, the Federal courts being additionally charged with handling law violation, delinquency, or enforcement had to continue his education. If they likewise failed to persuade him to accept combatant, noncombatant, or civilian duty, there was no course left but to convict him of a criminal offense and sentence him to prison.

Major Legal Opinions on Objectors

The major decisions of the Federal courts in the cases of conscientious objectors were, therefore, an essential part of the 1940–47 experience of Selective Service in this field. The present discussion does not review all of the opinions delivered by the courts regarding objectors. A number of cases were still pending at the expiration of the Selective Training and Service Act of 1940, as amended, and when this monograph was completed. However, most of the major types of decisions are included. Jehovah's Witnesses cases are for the most part excluded because the principal claim of this group was for the completely exempt status of the minister. A considerable number of Jehovah's Witnesses made the auxiliary claim of conscientious objection, though, and the important decisions in these instances are covered.[1]

A Decision on the Objector Provisions of 1917

Before presenting the important court opinions on objection for the 1940 Act, one ruling should be mentioned which was made during World War I on the constitutionality of the conscientious objector provisions of the Selective Service law of 1917. At that time the argument was advanced "that the act of May 18, 1917 (40 Stat. 76), exempting ministers of religion and theological students from the draft, and exempting from strict military service members of sects whose tenets exclude the moral right to engage in war," was repugnant to the first amendment to the Constitution, as establishing or interfering with religion. "However, the argument was held too unsound to require more than a mere statement."[2]

The "Substantial Evidence" Rule for the 1940 Law

The question of finality in the determinations of Selective Service local and appeal boards under the 1940 law was subject to interpretation. This arose in connection with that part of section 10 (a) (2) of the Selective Training and Service Act of 1940, as amended, which read as follows:

> Such local boards, under rules and regulations prescribed by the President, shall have power within their respective jurisdictions to hear and determine, subject to the right of appeal to the appeal boards herein authorized all questions or claims with respect to inclusion for, or exemption or deferment from, training and service under this act of all individuals within the jurisdiction of such local boards. The decisions of such local boards shall be final except where an appeal is authorized and is taken in accordance with such rules and regulations as the President may prescribe. Appeal boards within the Selective Service System shall be composed of civilians who are citizens of the United States. The decision of such appeal boards shall be final in cases before them on appeal unless modified or changed by the President as provided in the last sentence of section 5 (1) of this act.

With respect to the question of finality, Judge Charles E. Clark, of the Circuit Court of Appeals, Second Circuit, used the following language to state the "substantial evidence" rule in an opinion on the case of Isaac Trainin:

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[1] *Special Monograph Nos. 6 and 14, "Industrial Deferment" and "Enforcement of the Selective Service Law,"* Selective Service System (Washington: 1947 and 1950), likewise discuss Jehovah's Witnesses and ministerial cases.

[2] *Arver* v. *United States* (245 U. S. 366).

> (2, 3) Undoubtedly the statutory provision that decisions of the selective service boards shall be final narrowly limits the scope of judicial examination of board actions; but it is clear that Congress through use of such words cannot deny any registrant the constitutional protections of due process of law. * * * Thus it is error reviewable by the courts when it appears that the proceedings conducted by such boards "have been without or in excess of their jurisdiction, or have been so manifestly unfair as to prevent a fair investigation, or that there has been a manifest abuse of the discretion with which they are invested under the act." * * * But generalities of this nature, themselves pregnant with ambiguities, do not greatly assist to decision in particular cases, or specifically delimit judicial power to review evidence before the boards. On this latter point many cases, without sharp consideration of the issues, merely state the now usual rule of review applied to many administrative agencies, namely, that review of the facts is limited to ascertaining whether there is "substantial evidence" to support the findings of the agencies. * * * There seems, however, considerable tendency to state a more limited rule than this, such as that examination is only to determine whether there is any evidence at all to support the findings of the local boards.
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> These different formulas represent at most only slight differences of degree of restriction of judicial review; indeed, it may be concluded that the exact formula is not of the greatest importance, since under all the degree of finality accorded actions of local boards during both wars has been very great. In this circuit, however, we seem practically committed to the test of whether the local board had any evidence before it to sustain its result; indeed, in *United States ex rel. Brandon* v. *Downer*, 2 Cir., 139 F. 2d 761, 765, we practically said as much.[3]

This ruling of the Second Circuit Court of Appeals was made on August 15, 1944, and that of the citation contained therein on July 7 of that year. The case covered by the August 15 opinion was one involving a IV–D or ministerial classification, but the decision had equal implications for conscientious objector and other registrants. The July 7 ruling cited was concerned with conscientious objection based on moral grounds. The import of the August 15 decision was that in questions of finality on determinations of the System about all the courts could do was to ascertain whether such actions had been based upon "substantial evidence."

The same question reached the U. S. Supreme Court in *Estep* v. *United States*, 327 U. S. 114, 66 S. Ct. 423, 2–4–46, when the Court said, "The decisions of the local boards made in conformity with the regulations are final even though they may be erroneous. The question of jurisdiction of the local board is reached only if there is no basis in fact for the classification which it gave the registrant." This narrowed the "substantial evidence" rule to "basis in fact."

Determination of Entitlement to Objector Exemption

The question of when a registrant met the requirements of the statute as a conscientious objector was often difficult to decide. An example of such a case which reached the Federal courts at a relatively early date (February 8, 1943) was that of Mathias Kauten.[4] This became a rather celebrated case, because interested people read divergent views into the opinion as handed down by Judge Augustus Hand. The registrant had been brought up in the Catholic faith, but at the time was by his own admission an atheist or at least an agnostic. He believed organized religion to be detrimental and a hindrance to science. This objector claimed philosophical and political opposition to World War II alone and not to all war or wars, and his conviction by a lower court was therefore upheld. Pertinent parts of the decision follow:

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[3] *United States* v. *Cain*, 144 F. 2d 944.

> The only error suggested is the adoption by the latter of the report of the hearing commissioner whose conclusions are appended in the margin. No question is raised about the facts which he and the appeal board found, but only whether the statute was properly interpreted as excluding from the exemption of section 5 (g) a person having such beliefs as the defendant expressed.
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> (6–8) We hold that Mr. Hardy's interpretation was well founded. In order to avail himself of his privilege a registrant must establish that his objection to participation in war is due to "religious training and belief." It must ex vi termini be a general scruple against "participation in war in any form" and not merely an objection to participation in this particular war. Moreover, the conviction that war is a futile means of righting wrongs or of protecting the state, that it is not worth the sacrifice, that it is waged for base ends, or is otherwise indefensible is not necessarily a ground of opposition based on "religious training and belief." Though the registrant may have been entirely sincere in the ideas he expressed, his objections to reporting for induction were based on philosophical and political considerations applicable to this war rather than on "religious training and belief." They, therefore, were properly overruled, but not because he lacked membership of any sect or organization whose religious convictions were against war. Such a status was necessary to obtain exemption under the act of 1917, but the provisions of the present statute are more generous for they take into account the characteristics of a skeptical generation and make the existence of a conscientious scruple against war in any form, rather than allegiance to a definite religious group or creed, the basis of exemption. We are not convinced by anything in the record that the registrant did not report for induction because of a compelling voice of conscience, which we should regard as a religious impulse, but his declarations and reasoning seem to indicate that he was moved by convictions, however sincere, of quite a different character.
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> (9) In the early days of the draft, many thousands of the American people distrusted our foreign policy. If men holding such views had been ipso facto classed as conscientious objectors, the military effort might well have been seriously hampered. In granting such exemption, we think Congress intended to satisfy the consciences of the very limited class we have described and not to give exemption to the great number of persons who might object to a particular war on philosophical or political grounds.
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> It is unnecessary to attempt a definition of religion; the content of the term is found in the history of the human race and is incapable of compression into a few words. Religious belief arises from a sense of the inadequacy of

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[4] *United States* v. *Kauten,* 133 F. 2d 703.

> reason as a means of relating the individual to his fellow-men and to his universe—a sense common to men in the most primitive and in the most highly civilized societies. It accepts the aid of logic but refuses to be limited by it. It is a belief finding expression in a conscience which categorically requires the believer to disregard elementary self-interest and to accept martyrdom in preference to transgressing its tenets. A religious obligation forbade Socrates, even in order to escape condemnation, to entreat his judges to acquit him because he believed that it was their sworn duty to decide questions without favor to anyone and only according to law. Such an obligation impelled Martin Luther to nail his theses on the door of the church at Wittenberg and, when he was summoned before Emperor Charles and the Diet at Worms, steadfastly to hold his ground and to utter the often quoted words: "I neither can nor will recant anything, since it is neither right nor safe to act against conscience. Here I stand. I cannot do other. God help me. Amen." Recognition of this obligation moved the Greek poet Menander to write almost twenty-four hundred years ago: "Conscience is a god to all mortals;" impelled Socrates to obey the voice of his "Daimon" and led Wadsworth to characterize "Duty" as the "Stern Daughter of the Voice of God."
>
> (10) There is a distinction between a course of reasoning resulting in a conviction that a particular war is inexpedient or disastrous and a conscientious objection to participation in any war under any circumstances. The latter, and not the former, may be the basis of exemption under the act. The former is usually a political objection, while the latter, we think, may justly be regarded as a response of the individual to an inward mentor, call it conscience or God, that is for many persons at the present time the equivalent of what has always been thought a religious impulse.
>
> (11) Even if the board might have found that the registrant's objections to reporting for induction were based "on religious training and belief," rather than on personal predilection or political and social philosophy respecting the folly and futility of war, yet the record contained substantial indications that the objections were not because of "religious training and belief" in the sense those words are used in the statute, and the weight of the evidence was a matter for the appeal board.
>
> (12) For the foregoing reasons we find no error in the decision of the trial court and the judgment of conviction is accordingly affirmed.[5]

This opinion was considered by some as evidence in support of a liberalized conscientious objection viewpoint, of a broad basis for it and not just the narrow limits of "religious training and belief," of opposition based on any grounds as long as it was objection to all war or wars. But it was difficult for others to accept this interpretation without question. They held that parts (9) and (10) were, after all, according to the latter, gratuitous *dicta*, included after the decision of the case was clearly outlined in parts (6) and (8). But the first contenders believed these parts not to have been *dicta* but necessary to the decision. Another fact which tended to confuse the issue was that the case was reviewed in an appellate court and in part 11 it was pointed out that "the weight of evidence was a matter for the appeal board" and that "the record contained substantial indications" that the appeal board decision was proper.

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[5] Loc. cit.

A Ruling Against Social Belief as a Basis

The refusal of the Supreme Court of the United States on December 23, 1946, to grant *certiorari*, that is, review, in the case of Herman Berman added considerable interest to the lower court decisions in the case and particularly to the opinion written by Judge Harold M. Stephens.[6] Registrant Berman refused to accept induction into the armed forces after being given a valid order to do so by his local board. He was thereupon reported as a delinquent and tried, convicted and sentenced in the District Court of the United States for the Southern District of California, Central Division. Upon appeal to the United States Circuit Court of Appeals for the Ninth Circuit, the district court judgment and the sentence upon the judgment after conviction was affirmed by this circuit court. The refusal of the Supreme Court to review the case left the judgment and sentence standing and was interpreted as a measure of approval by this high court of the opinions or decisions of the lower courts in this case. At least this ultimate action left the registrant without relief. In handing down the district court ruling Judge Stephens said, in part:

> It is our opinion that the expression "by reason of religious training and belief" is plain language, and was written into the statute for the specific purpose of distinguishing between a conscientious social belief, or a sincere devotion to a high moralistic philosophy, and one based upon an individual's belief in his responsibility to an authority higher and beyond any worldly one.
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> The first expression contained in section 1 of the first amendment to the Constitution of the United States is as follows: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; * * *" It would be quite ridiculous to argue that the use of the word "religion" could have been understood by the authors of this part of our national charter or by those having to do with its adoption as meaning to be inclusive of morals or of devotion to human welfare or of policy of government. Congress has and does make laws respecting the establishment of all of these subjects.
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> * * * * * * *
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> We are not saying that man's comprehension of religions is static and remains today the same as a short hundred-and-fifty-odd years ago in the area of our constitution making. Undoubtedly, the human mind is less limited by the literal word meanings of creeds and has been given clearer insight as to realities by man's excursions into nature's wonderland. And it is true that scientific discoveries have greatly influenced the trend of philosophic thought. Manifestations, now understood through scientific law, were once attributed to the direct interposition of deity. Nature and God seem so close to oneness that some thinkers blend them inseparably.
>
> Yet all discoveries of science and the deepest reach of minds do not fill a life or satisfy the soul hunger to understand the daily joys and sadnesses and disappointments of life or to understand the ultimate purpose of creation. Faith in a Supreme Power above and beyond the law of all creation mollifies our fears and satisfies our longings. It is not possible to still the innate human desire against going beyond the physical revelations of life. The area of our

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[6] *Herman Berman* v. *United States of America,* 156 F. 2d 377.

logical equations comes to an end, but we do not assign all beyond as a great vacancy. Faith "which passeth all understanding" carries on. The intellectually satisfying meditations of Marcus Aurelius do not suffice for the boy in the fox hole, under fire. His philosophy is not called upon in that agonizing hour. He goes direct to his God to bolster his flagging strength and courage.

There are many eminent lawyers and others in Congress with wide knowledge and we cannot assume that they were ignorant of expressions in the Constitution and in opinions of our own Supreme Court when treating of the subject of religion. We have already referred to the word "religion" as used in the Constitution; in *United States* v. *Machintosh*, 283 U. S. 605, at 633, Mr. Justice Hughes in his dissent, Holmes, Stone, and Brandeis concurring (the dissent was on another point), said: "The essence of religion is belief in a relation to God involving duties superior to those arising from any human relation." See *United States* v. *Schwimmer*, 279 U. S. 644. The committee in writing the present law was not venturing anything new in limiting exemptions of conscientious objectors on a religious basis. That has been done in every draft law ever enacted in the United States.

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There are those who have a philosophy of life, and who live up to it. There is evidence that this is so in regard to appellant. However, no matter how pure and admirable his standard may be, and no matter how devotedly he adheres to it, his philosophy and morals and social policy without the concept of deity cannot be said to be religion. It is said in *State* v. *Amana Society*, 109 N. W. 894, 888: "Surely a scheme of life designed to obviate such results (man's inhumanity to man), and by removing temptations, and all the inducements of ambition and avarice, to nurture the virtues of unselfishness, patience, love, and service, ought not to be denounced as not pertaining to religion when its devotee regards it as an essential tenet of their religious faith.

Whether or not the triers of fact thought appellant's objections to war were conscientious is not decisive of this case. Even if the evidence should compel the finding that he was conscientious, and we do not suggest that it does, he could not succeed in his appeal. There is not a shred of evidence in the case to the effect that appellant relates his way of life or his objections to war to any religious training or belief. That Congress, when preparing the Selective Training and Service Act, was not thinking of philosophical views and good deeds and deep beliefs in social actions as different exemplifications of deity, is demonstrated by congressional hearings. At one time in the course of its composition, the Burke-Wadsworth Bill, which through progressive steps grew into the act, applied the exemption only to members of religious sects whose principles were opposed to war on conscientious grounds. The exemption was changed so as to include individual conscientious objectors without regard to membership in a religious organization, but did not eliminate the religious element for it incorporated in section 5 (g) of the act, the expression "by reason of religious training and belief." At a hearing after this expression was written into the bill, many organizations supported the Civil Liberties Union proposal (p. 152, House hearings) that conscientious objection without regard to any religious requirement should be brought within the terms of the exemption. The proposal was not adopted.

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Religion is defined in Funk & Wagnall's New Standard Dictionary as follows: "religion * * * 1. A belief in an invisible superhuman power (or powers), conceived of after the analogy of the human spirit, on which (for whom) he thinks himself in some degree responsible, together with the feelings and practices which naturally flow from such a belief." It is defined in Webster's New International Dictionary, 2d ed., as follows: "religion * * * 1. The service and adoration of God or a god as expressed in forms of worship, in obedience to divine commands, esp. as found in accepted sacred writings or as declared by recognized teachers and in the pursuit of a way of life regarded as incumbent on true believers; as ministers of religion * * * 6. An apprehension, awareness, of conviction of the existence of a supreme being, or more widely, of supernatural powers or influences controlling one's own, humanity's, or nature's destiny; also, such an apprehension, etc., accompanied by or arousing reverence, love, gratitude, the will to obey specif., the awakening of religious belief, convictions, etc., as in conversion; as, one without religion; man only is capable of religion to get religion.

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In the *Encyclopedia of Social Sciences*, vol. 13, p. 229, under the title "Religion" by Alfred Bertholet, it is said: "Thus it is possible to arrive at a preliminary definition of religion as the complex of man's interrelations with the superhuman powers. Such a definition implies the fundamental truth that religion, as defined by C. A. Bernoulli in *Theologie and Wissenschaft* (Basel 1933), is 'not an autonomous activity of man or a unilateral but involves a process of vital and reciprocal interplay' between the human and the supernatural."

We have not referred specifically to the requirement that before one comes within the exemption provided in the act, he must be opposed to war not only by reason of his religious belief but by reason of religious training. The record is as silent on religious training as the basis of appellant's claimed conscientious objections, as it is on a religious belief as the basis of his conscientious objections.

Whatever may be said as to appellant's conscientiousness in his objections to war aside from the religious phase of the subject, the evidence in this case conclusively supports the finding that appellant's objections to war do not come within the purview of the exemption claimed by him. We may add with propriety that to sustain appellant's thesis, we should, in effect, be deciding that the exemption from military service written into the statute runs to all who sincerely entertain conscientious objections to participation in war. Should we come to that conclusion, the phrase "by reason of religious training and belief" would have no practical effect whatever. As we have indicated, we think the latter phrase must be regarded as a definite limitation on the scope of the exemption and cannot be deprived of its effectiveness by specious reasoning that something which to its user is more acceptable than some other thing is therefore the same thing. There is evidence to support the conclusion that appellant was sincere in the belief which he professed, but it is clear that such belief was based entirely upon a philosophical, social, or political policy and does not entitle him to exemption from military duty: We find no error.[7]

This opinion was delivered by Judge Stephens in the district court on June 29, 1946, and served among other things to support the decision of *United States* v. *Kauten* (133 F. 2d 703) which has already been discussed. It said in summary that although the registrant was sincere and conscientious in being opposed to war, his objection was based on "philosophical, social, or political policy" rather than "religious training and belief" and therefore he was not entitled to exemption from military duty under the Selective Service Act. The point was made that the Constitution said Congress could "make no law regarding an established religion, or prohibit the free exercise thereof" and that neither the Constitution, nor the Congress as it passed the 1940 conscription law, defined religion as including morals or devotion to human welfare or policy of government. Social belief, high moralistic philosophy, a philosophy of life involving high standards, philosophy, morals, social policy—none of them constituted a basis for conscientious objection under the act. A way of life, philosophical views, good deeds, or deep beliefs in social actions were not exemplifications of deity as envisaged by the Congress in such connection. The court recalled that, if other than a religious basis had been in mind, the Congress in passing the law would not have failed to give consideration to the proposal of the Civil Liberties Union which conceived of objection on any and all grounds as being valid for exemption purposes.

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[7] Loc. cit.

Decision Allowing Defendant to Attack Classification

Not many Selective Service cases involving conscientious objection reached the Supreme Court of the United States. In all of its decisions on such cases, however, this high court leaned to a liberal interpretation of the right of a defendant to challenge the "finality" of his classification contrary to any strict construction of the meaning of section 10 (a) (2) of the act. The essence of the opinion of the Supreme Court appeared in a footnote to a decision rendered December 23, 1946 which read:

> Provided that he has exhausted his administrative remedies, the registrant who has not been actually inducted into the armed forces may in defense to a criminal prosecution attack a board's order as arbitrary and illegal.[8]

This opinion was not so crystallized until late in the operation of the System and its effect was perhaps negligible. In addition, it did not indicate how much influence such an attack would have on the outcome of a criminal prosecution. But the large proportion of conscientious objector convictions and the small number of cases decided in their favor indicates that, as a rule, the courts found relatively few registrants to be in fact conscientious objectors whose claims had not been given proper and sufficient consideration by Selective Service.

A Registrant's Right to Seek Court Redress

The question of ministerial claims was at issue in most of the Supreme Court decisions that are of interest for this monograph on conscientious objection. However, there were some in which claims of conscientious objection were important enough that extensive citation of the opinion is desirable. For example, these statements were made in the case of *Estep* v. *United States:*

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[8] *Gibson* v. *United States,* 67 S. Ct. 301.

Congress entrusted the administration of the Selective Service System to civilian agencies, not to the military. It authorized the President to create and establish a Selective Service System and to establish civilian local boards and appeal boards to administer it (sec. 10 (a) (2)). The Selective Service System was designed to "provide for the classification of registrants and of persons who volunteer for induction under this act on the basis of availability for training and service." (Id.) Congress specified certain restricted classes for deferment or exemption from service, including in the latter sec. 5. The President was authorized to provide for the deferment of other classes by rules and regulations (sec. 5 (e)). And the local boards "under rules and regulations prescribed by the President" were granted the "power within their respective jurisdictions to hear and determine, subject to the right of appeal to the appeal boards herein authorized, all questions or claims with respect to inclusion for, or exemption or deferment from, training and service under this act of all individuals within the jurisdiction of such local boards" (sec. 10 (a) (2)). The act makes no provision in terms for judicial review of the actions of the local boards or the appeal boards. For sec. 10 (a) (2) states that the "decisions of such local boards shall be final except where an appeal is authorized in accordance with such rules and regulations as the President may prescribe."

By the terms of the act Congress enlisted the aid of the Federal courts only for enforcement purposes. Section 11 makes criminal a willful failure to perform any duty required of a registrant by the act or the rules or regulations made under it. An order to report for induction is such a duty; and it includes the duty to submit to induction. *Billings* v. *Truesdell*, *supra*, page 557. Section 11 confers jurisdiction on the district courts to try one charged with such offense. But section 11 is silent when it comes to the defenses, if any, which may be interposed.

Thus we start with a statute which makes no provision for judicial review of the actions of the local boards or the appeal agencies. That alone, of course, is not decisive. For the silence of Congress as to judicial review is not necessarily to be construed as a denial of the power of the Federal courts to grant relief in the exercise of the general jurisdiction which Congress has conferred upon them. *School of Magnetic Healing* v. *McAnnulty*, 187 U. S. 94; *Gegiow* v. *Uhl*, 239 U. S. 276. Apart from constitutional requirements, the question whether judicial review will be provided where Congress is silent depends on the whole setting of the particular statute and the scheme of regulation which is adopted. *Switchmen's Union* v. *Mediation Board*, 320 U. S. 297, 301. And except when the Constitution requires it, judicial review of administrative action may be granted or withheld as Congress chooses.

The authority of the local boards whose orders are the basis of these criminal prosecutions is circumscribed both by the act and by the regulations. Their authority to hear and determine all questions of deferment or exemption is, as stated in section 10 (a) (2), limited to action "within their respective jurisdictions." It is only orders "within their respective jurisdictions" that are made final. It would seem, therefore, that if a Pennsylvania board ordered a citizen and resident of Oregon to report for induction, the defense that it acted beyond its jurisdiction could be interposed in a prosecution under section 11. That case would be comparable to *Tung* v. *United States*, 142 F. 2d 919, where the local board ordered a registrant to report for induction without allowing him the appeal to which he was entitled under the regulations. Since section 10 (a) (2) makes the decisions of the local boards final "except where an appeal is authorized" under the regulations, the defense was allowed in the criminal trial.

Any other case where a local board acts so contrary to its granted authority as to exceed its jurisdiction does not stand on a different footing. By section

10 (a) (2) the local boards in hearing and determining claims for deferment or exemption must act "under rules and regulations prescribed by the President." Those rules limit, as well as define, their jurisdiction. One of those regulations forbids the local boards from basing their classification of a registrant on a discrimination "for or against him because of his race, creed, or color, or because of his membership or activity in any labor, political, religious, or other organization" (623.1). Another provides, in accordance with the mandate contained in section 5 (c) (1) of the act, for the deferment of Governors of States and Members of Congress while they hold their offices (622.42). Another provides that the local board "shall reopen and consider anew the classification of a registrant" on the written request of the State Director or the Director and upon receipt of the request "shall immediately cancel" any order to report for induction or for work of national importance (626.2–1). If a local board ordered a Member of Congress to report for induction, or if it classified a registrant as available for military service, because he was a Jew, or a German, or a Negro, it would act in defiance of the law. If a local board refused to reopen on the written request of the State Director a registrant's classification and refused to cancel its order to report for induction, it would be acting in the teeth of the regulations. In all such cases its action would be lawless and beyond its jurisdiction.

We cannot read section 11 as requiring the courts to inflict punishment on registrants for violating whatever orders the local boards might issue. We cannot believe that Congress intended that criminal sanctions were to be applied to orders issued by local boards no matter how flagrantly they violated the rules and regulations which define their jurisdiction. We are dealing here with a question of personal liberty. A registrant who violates the act commits a felony. A felon customarily suffers the loss of substantial rights. Section 11, being silent on the matter, leaves the question of available defenses in doubt. But we are loathe to resolve those doubts against the accused. We cannot readily infer that Congress departed so far from the traditional concepts of a fair trial when it made the actions of the local boards "final" as to provide that a citizen of this country should go to jail for not obeying an unlawful order of an administrative agency. We are loathe to believe that Congress reduced criminal trials under the act to proceedings so barren of the customary safeguards which the law has designed for the protection of the accused. The provision making the decisions of the local boards "final" means to us that Congress chose not to give administrative action under this act the customary scope of judicial review which obtains under other statutes. It means that the courts are not to weigh the evidence to determine whether the classification made by the local boards was justified. The decisions of the local boards made in conformity with the regulations are final even though they may be erroneous. The question of jurisdiction of the local board is reached only if there is no basis in fact for the classification which it gave the registrant. See *Goff* v. *United States*, 135 F. 2d 610, 612.

Falbo v. *United States*, *supra*, does not preclude such a defense in the present cases. In the *Falbo* case the defendant challenged the order of his local board before he had exhausted his administrative remedies. Here these registrants had pursued their administrative remedies to the end. All had been done which could be done. Submission to induction would be satisfaction of the orders of the local boards, not a further step to obtain relief from them.

If section 11 were not construed to permit the accused to defend on the ground that his local board acted beyond its jurisdiction, a curious result would follow. The remedy of habeas corpus extends to a case where a person "is in custody in violation of the Constitution or of a law * * * of the United States" (Rev. Stat., sec. 753, 28 U. S. C. sec. 453). It has been assumed that habeas corpus is available only after a registrant has been inducted into the armed services. But if we now hold that a registrant could not defend at his trial on the ground that the local board had no jurisdiction in the premises, it would seem that the way would then be open to him to challenge the jurisdiction of the local board after conviction by habeas corpus. The court would then be sending men to jail today when it was apparent that they would have to be released tomorrow.

We do not suggest that because Congress has provided one judicial remedy another should be implied. We may assume that where only one judicial remedy is provided, it normally would be deemed exclusive. But the fact that habeas corpus after conviction is available in these cases gives added support to our reading of section 11. It supports a rejection of a construction of the act that requires the courts to march up the hill when it is apparent from the beginning that they will have to march down again.

We express no opinion on the merits of the defenses which were tendered. Since the petitioners were denied the opportunity to show that their local boards exceeded their jurisdiction, a new trial must be had in each case.[9]

This decision was handed down by the Supreme Court on February 4, 1946. It held, in brief, that while Congress (1) entrusted the administration of the Selective Service System to civilian agencies, (2) provided that among these agencies the determination of the local board would be final though subject to appeal, (3) did not provide for judicial review of local and appeal board actions and (4) enlisted the aid of the Federal Courts for enforcement only—nevertheless the act of 1940, though silent on the subject, did not preclude an objector or other registrant from seeking defense against illegal determinations of the boards, nor did the Constitution. On the other hand, the 1940 law and regulations thereunder limited the action of the boards to "their respective jurisdictions" and forbade a local board from basing classification on "discrimination." Thus the Federal courts could review the determination of a board to see that it had a "basis in fact" because Congress did not intend a registrant to be subject to illegal orders from the board based on non-jurisdiction or discrimination. This was further borne out by the fact that a registrant inducted into the armed forces could, under certain circumstances, obtain release through *habeas corpus* proceedings and thereby secure relief from illegal determinations of the boards. Such an approach was of far-reaching importance to the conscientious objector though it came late in the operation of the System's program.

Civilian Status of Class IV-E Registrants in C. P. S. Camps

The status of the Class IV–E objector assigned to the civilian work program was reviewed at some length by a Supreme Court opinion handed down in the cases of *Gibson* v. *United States* and *Dodez* v. *Same.* The decisions in these cases which were decided together in one opinion, held that conscientious objectors assigned to Civilian Public Service Camps for work of national importance at a time when a change in Selective Service Regulations had removed any chance for them to secure rejection at camp, were not required to report to the camp in order to complete the administrative process, and were, therefore, not foreclosed from making any defense open to them in their criminal trial for violating the act. While the Court indicated that the remedy of "*habeas corpus*" might not be available in such cases "since the only compulsion laid upon such a person by the act or otherwise is the force of the legal command plus the provision for criminal penalty in case of disobedience," the Court did say "We need not decide this question, however, and we express no opinion upon it."

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[9] *Estep* v. *United States,* 327 U. S. 114.

> Unlike the man "actually inducted," the person classified IV–E remains a civilian; his duties are not military in character; he is not subject to military discipline or authority; and for violation of duties or orders he cannot be tried by court martial or military tribunal. On the contrary the Selective Service Act expressly provides the same civil penalties and mode of trial for violating duties arising when he enters the camp as for those arising before that time.
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> There is therefore no such profound change in rights, duties and status as occurs when one crosses the line between civil and military jurisdiction by being "actually inducted" under the rule of *Billings* v. *Truesdell*, *supra.* It was this change and the consequences it entailed together with the statute's command that no one should be tried by military or naval court martial in any case arising under the act until he had been actually inducted, which we there held to require placing the line precisely, not only for exhausting administrative remedies under the *Falbo* rule, but also for marking the point of actual induction at which the registrant's right ends to choose between going forward into the service and incurring the civil liability for breach of that duty.
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> The person classified as conscientious objector is never confronted with that choice. He is relieved by the act from any duty to perform military service. He is not threatened with induction. He is in fact farther removed from military status or jurisdiction after he is finally assigned to civilian public service of national importance, and for this reason is rejected for military service, than he was before that time. His choice is not between going into service and taking the civil penalty laid for violating that duty. It is between performing civilian service under civilian authority and incurring the civil penalty for refusing to do so.
>
> Moreover, in the case of one entering the armed forces, the loss of civil rights, including those of recourse to the civil courts other than by way of habeas corpus, results altogether by virtue of the change from civilian to military status. The reasons underlying those rulings do not apply in the case of one who does not undergo that change, remains at all times a civilian, subject only to civilian duties and to civil penalties for violating them. There is not the same necessity or compulsion in such a case for bringing about forfeiture of civilian rights, including remedies for questioning the validity of the order the registrant is charged with violating. The compulsion arises from the necessity for preventing interruption of military processes by intrusion of the civil courts beyond the essential minimum of keeping open the habeas corpus chan-

nel to show that the military authority has exceeded its jurisdiction in dealing with the individual. It is on this foundation that the forfeiture of other civil remedies is held to take place.

But there is no such necessity, or therefore any such foundation for forfeiture, in the case of one classified as a conscientious objector and assigned for work of national importance. Serious as are the consequences of his refusal to perform that work, dealing with such breaches of duty by the civil courts does not involve, in the remotest sense, interruption or interference by civilian authority with military processes or jurisdiction. Entirely wanting therefore is any such foundation for forfeiture of civil rights as exists in the case of one inducted into the armed services. Without such a foundation the analogy dissolves and with it the asserted forfeiture.

This becomes even more clear when it is recalled that one basis for the forfeiture, which the Government has maintained, is that habeas corpus is available for the person classified IV–E and wrongfully denied classification and exemption as a minister of religion. This remedy, it was asserted originally, is adequate and exclusive, and therefore should be held to foreclose resort to other forms of relief.

But here again the asserted analogy fails. It has been clearly established that the remedy by way of habeas corpus is open to the wrongfully inducted member of the armed forces to secure his release. But at the argument it was conceded that neither the camp director nor other officials of the Selective Service System are authorized to use force to arrest or restrain one who refuses to remain in camp. And this, it was also admitted, would make doubtful the availability of relief by way of habeas corpus. Indeed it might well be urged that the remedy is not available for one charged with violation of any duty, whether failure to report to the camp, to remain there, or to perform other obligations, since the only compulsion laid upon such a person by the act or otherwise is the force of the legal command plus the provision for criminal penalty in case of disobedience.

We need not decide this question, however, and we express no opinion upon it. For it is enough to destroy the analogy the Government seeks to draw that the remedy by habeas corpus is an uncertain one. Should it be found unavailable and at the same time we should rule that petitioner's defense could not be made in the criminal proceeding, he would be left entirely without remedy, a result consistent neither with our decision in the cases of *Estep* and *Smith*, *supra*, nor with the statute. No more, we think, is it consistent with the act or those rulings to foreclose the right of defense upon the basis of uncertainty whether the habeas corpus remedy might be had.

Finally, Congress has provided expressly for enforcing the duty to report to the camp for work and duties arising thereafter through the criminal proceedings and penalties prescribed by sec. 11. In its view these were adequate for the purpose. Nothing in the section or the statute, in the light of our prior decisions, can be taken to indicate that Congress intended persons charged with violating such duties to be deprived of their rights of defense on the ground of invalid classification, either absolutely should habeas corpus prove unavailable or contingently depending upon how the doubt concerning that remedy's availability might be resolved. The Government concedes that Congress intended some remedy to be available. We know of no way by which this can be assured, in such a case as *Gibson's*, otherwise than by permitting the defense to be raised in the criminal trial.

The analogy failing, for both of the reasons we have stated, by which it is sought to confine the remedy to habeas corpus, we think the defense has been left open for presentation in this case and should have been allowed. *Estep* v. *United States*, 327 U. S. 114; *Smith* v. *United States, ibid.*[10]

This ruling was made on December 23, 1946, and likewise dealt with the defense rights of objectors and other registrants in the civil courts.

A Court Opinion on C.P.S. Camp Assignment

Separate court proceedings were taken by the United States against Igal Roodenko, Donald West Rockwell, James Glenn Hutchison, and Everett A. White for violation of the Selective Training and Service Act as Civilian Public Service Camp assignees. The United States District Court for the District of Colorado wherein their cases were first heard, rendered adverse judgments to the four registrants. All of the defendants thereupon appealed the judgments and the appeal was consolidated in the Circuit Court of Appeal, Tenth Circuit.[11] Practically all of the common objections to the performance of work of national importance in Civilian Public Service Camps were raised in this consolidated appeal. The opinion handed down for the Circuit Court by Judge Walter A. Huxman explains very logically the reasons these objections were rejected by that Court and the judgments of the District Court were severally affirmed.

In these cases there seems to have been no dispute regarding the proper classification of the registrants as conscientious objectors to war in any form and to any service in the armed forces. They were assigned to work of national importance by the Director of Selective Service and placed in a Civilian Public Service Camp in Colorado. Each was convicted of refusing to work and to perform the duties assigned by the director of the camp, which was the issue. The essence of the challenge in the appeal was set forth as follows by Judge Huxman on December 22, 1944:

> The appeal challenges the constitutionality of that part of section 5 (g) of the Selective Training and Service Act of 1940 which relates to those who by reason of religious training and belief are opposed to participation in war in any form. It is claimed that this portion of the act is unconstitutional because (1) it deprives such persons as are covered thereby of the free exercise of religion, contrary to the first amendment to the United States Constitution; (2) it deprives them of liberty and property without due process of law, and takes their private property without just compensation, contrary to the fifth amendment; and (3) it subjects them to involuntary servitude not as punishment for crime, contrary to the thirteenth amendment.
>
> It is further urged that Executive Order No. 8675 of February 6, 1941, Selective Service System Order No. 111, Mancos Project, Colo., and Selective Service System Regulations, Part 692—Rules for Government Operated Camps, are void

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[10] *Gibson* v. *United States*, 67 Sup. Ct. 301. Footnotes to decision omitted here.

[11] *Roodenko* v. *United States*, *Rockwell* v. *United States*, *Hutchinson* v. *United States*, *White* v. *United States*, 55 F. Supp. 648, 147 F. 2d 752. *Certiorari* denied 65 S. Ct. 867. Rehearing denied 65 S. Ct. 1022.

because: (*a*) They are in excess of any power which Congress had to delegate and are in excess of the power delegated by the act; (*b*) the order, rules, and regulations violate the United States Constitution; and (*c*) they subject assignees to such camps to military direction in violation of the act.[12]

Constitutionality of Assignment to Civilian Work

He disposed thus of the question of the unconstitutionality of the act as set forth in the first of the two paragraphs above quoted:

(1) There is no constitutional right of exemption from service in our armed forces on account of religious training or conscientious scruples against participation in war, or for any other reason. This principle is too well settled to need any extended discussion or the citation of a great number of cases. There are none holding to the contrary.

(2, 3) While assignment No. 1 asserts a constitutional right of exemption from military service, Roodenko apparently does not make this asserted ground the basis of his appeal. He states in his brief that "So far as this case is concerned, it may be admitted that appellant had no constitutional exemption and that, had Congress seen fit so to do, it might have refused any exemption whatsoever on the ground of conscience or religious objection." He then argues that the act of 1940 was limited in its scope to raising and training armed forces, and that it does not purpose to be an exercise of the general war powers of Congress. The argument is made that when Congress limited the act to raising and training soldiers and sailors for our armed services and thereunder granted appellant an exemption from such service, Congress could not make that exemption conditional by requiring appellant to render service in works of national importance in civilian public service camps. We cannot agree that the act is, or was intended by Congress to be, so narrowly limited in its operation. In 1940, when this act was before Congress, the world was aflame. War was all about us. All charged with the safety of our country felt that there was great danger that the scourge of war would not pass us by. Under these conditions Congress recognized the existence of a grave emergency. The act itself declares the existence of such an emergency which made necessary the passage of this legislation. Congress had in mind more than the limited objective appellant would ascribe to it in the passage of this act. It sought to completely and adequately prepare our country for defense by marshaling the manpower of the nation and by raising, equipping, and supporting armies for the defense of our land. This is the interpretation which the Supreme Court has placed upon the scope and purpose of this act.

It is not correct to say that appellant and those who believe as he does are exempt from the operation of the act. They are subject to draft the same as one who has no scruples against serving his country in the armed forces, the only difference being that under the provisions of the act they are excused from military service. The act specifically provides that they may be drafted or "called up," if one prefers that term, to serve their country in work considered of national importance under civiilan direction.

(4) If Congress, as we have held, has the power to compel conscientious objectors to serve in the military forces, they cannot be heard to complain that they are relieved from such service on condition that they nevertheless recognize their obligation of citizenship and respond to call and serve their country in nonmilitary work of national importance, under civilian authority. Congress could have required Roodenko to serve in the armed forces. Having no constitutional right of exemption from such service, he certainly can have no constitu-

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[12] Loc. Cit.

tional grounds to challenge the validity of an act which gives him a conditional exemption from a service which he could be compelled to perform.

(5) The conclusion we have reached in regard to assignment of error No. 1 disposes of assignments 2 and 3. They fall of their own weight. It follows that Roodenko is not deprived of any constitutional rights by being compelled to perform a service which may be lawfully exacted any more than a soldier is deprived of similar rights by being required to offer his life on the field of battle.[13]

Legal Authorization for C.P.S. Camps

Judge Huxman went on to discuss the issues raised with respect to the setting up of Civilian Public Service Camps and their general operation. The language which he used in this regard was as follows:

(6) The contention that the act does not authorize the President to set up Civilian Public Service Camps for conscientious objectors is without merit. The act specifically provides that they shall be assigned to work of national importance under civilian direction. This contemplates an organization perfected for this purpose. It was not necessary for the act to define in detail the organization which was to be created. It was sufficient to designate the framework within which it was to be confined. This it did when it designated a civilian organization devoted to work of national purposes.

(7) Section 310 (a) (1) of the act (50 U. S. C. A. appendix) directs the President to make all necessary rules and regulations to carry out the act. This includes the provision for an organization to which conscientious objectors are to be assigned. The yardstick is laid down in the act. It remains only to consider whether the President remained within it.

(8) By Executive Order 8675, the President directed the Director of Selective Service to set up these organizations within the framework of the act, and directed him to adopt necessary rules and regulations for the same. It further directed that he should determine the agencies that should provide the civilian control and that he should have general supervision and control over such work. Pursuant to this authority, by Order No. 111, the Director declared the Colorado project to which Roodenko was assigned to be a work of national importance. The project was a water storage and irrigation project. It was placed under the technical direction of the Bureau of Reclamation of the Department of the Interior. The Bureau of Reclamation was made responsible for the housing, feeding, clothing, discipline, and health of those assigned to it. Supervision of the project was under the Selective Service System through the Camp Operations Division of the National Selective Service Headquarters.

From this brief analysis of the orders creating this agency, it is apparent that they contemplate civilian control. The particular project was placed under the control of a branch of the Department of the Interior. There are presently 108 of these projects in operation, with 7,601 conscientious objectors assigned to them. Of these, 105 are sponsored and operated by private religious organizations, such as Brethren Service Committee, Mennonite Central Committee, Association of Catholic Conscientious Objectors, and others. Only 3 are sponsored directly by the Government without the aid of religious groups. All of them are governed by the same rules and regulations set up pursuant to Executive Order 8675.

It is argued that the military character of these establishments is shown by the fact that the act itself makes the Chief of Finance of the United States Army the fiscal disbursing and accounting agent of the Director of Selective Service, that the head of the Selective Service System is a major general in the Army, and that the head of the Camp Operations Division is an Army colonel and signs his directives as "Colonel, Field Artillery." The fact that the organization is headed by an Army officer does not make it a part of the Army. There are innumerable instances where Army or Navy officers have been assigned to civilian work. In *Southern Pac. Co.* v. *United States*, 285 U. S. 240, 52 S. Ct. 324, 76 L. Ed. 736, it was held that Army officers who were assigned to rivers and harbors work were engaged in nonmilitary work. Neither the Army nor the Navy has any control over these assignees. They are not subject to court martial or punishment by the Army or Navy for infractions of any of the rules of the organization or for the commission of any offense against either the laws of the State in which they are located or against the laws of the Nation. For all such offenses they are subject to prosecution in the civil courts and not in the military courts. They may not be court martialed or disciplined by the Army because they are not subject to nor a part of the armed services.[14]

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[13] Ibid.

The "National Importance" of Camp Work

There remained one point which had been stressed by the appeal, that the work done in the particular camp, the Mancos unit in Colorado, was not "of national importance." This, the court held, the defendant could not challenge. The opinion was:

> (9, 10) And, finally, it is contended that Order No. 111, setting up this project, is void because the project is not of national importance. It is contended that it is a local reclamation water storage and irrigation project of no national importance, having no connection with the war effort. The proper maintenance of agriculture, civilian business, transportation, sanitation, health, and many other civilian activities are as essential to the successful prosecution of the war and as much a part of the war effort as the production of munitions of war and the arming and equipping of the military forces. The act places the determination of what projects are of national importance with the President. Roodenko has no standing to challenge the exercise of this discretion by the President.[15]

Additional minor questions which had been raised, were disposed of briefly as follows:

> Other incidental questions are raised, such as the one attacking the rules and regulations governing the conduct of the assignees to the project in question. They are not of sufficient importance to justify a detailed discussion thereof. Suffice it to say that we have given them careful consideration and find them without merit. It is our conclusion that neither the act, Executive Order No. 8675, Selective Service Order No. 111, nor the rules and regulations governing the camp violate any of Roodenko's constitutional rights or immunities.[16]

Sum and Substance

In such fashion, then, the Federal courts continued the educational, persuasive, and other enforcement activities of Selective Service and the Department of Justice with respect to conscientious objector registrants. Their efforts covered for this type of registrant such fundamentals as (1) local and appeal board classification, (2) induction into the armed forces, (3) assignment to the civilian work program, (4) compliance with the living and working procedures of the Civilian Public Service Camps and (5) other phases of the System's operation.

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[14] Ibid.

[15] Ibid.

[16] Ibid.

Among other things the decisions of the courts held that when it came to a question of finality in Selective Service determinations, the role of judicial review amounted to little more than ascertaining whether such actions were based on "substantial evidence." The courts held further in considering specific "substantial evidence" that a claim for conscientious objection on philosophical, political, social or any other basis than "religious training and belief" as stated in the 1940 Act, was not valid.

Court opinions of significance also dealt with the right of the objector to seek defense against the System's classifications or other determinations when he deemed them illegal, just as the System could prosecute him for an offense when it felt such had been committed. In addition, they held that a Class IV–E registrant assigned to work of national importance was still in civilian status and should probably not seek release from such assignment through *habeas corpus* proceedings as could an objector or other registrant inducted into the armed forces and thus having military status. The C. P. S. Camp assignee should request defense through regular civil court procedure.

Other important rulings were (1) that assignment to the civilian work program was constitutional, (2) that Civilian Public Service Camps were legal, and (3) that the projects carried on by such camps constituted "work of national importance under civilian direction" as provided for by the Selective Training and Service Act of 1940. Thus the new phase of service for conscientious objectors—the civilian work program—came in for much court attention. Being entirely new as a legal provision it would perhaps be expected to arouse more litigation than the provision for noncombatant duty with the armed forces, that is, than the induction of the Class I–A–O objector. What is more, it might be expected also to involve more court proceedings than the induction of a Class I–A registrant who claimed objection but whose claim was not found valid. At any rate, the Federal courts in the 1940–47 program of Selective Service contributed heavily to explaining and interpreting the new concept of civilian work just as they did other phases of the System's activities with reference to conscientious objection.

XV

THE SEPARATION OF C.O.'s FROM C. P. S. CAMPS

The separation of conscientious objectors from service under the Selective Training and Service Act of 1940 has already been mentioned. However, most of this attention was given to the release of objectors from noncombatant duty with the armed forces. In this connection, it was pointed out that noncombatant inductees of the Army and Navy were discharged upon exactly the same basis as registrants in combatant service.

Generally speaking Selective Service, the National Service Board for Religious Objectors and the agencies of the Federal Government, technically interested in the work projects of the Civilian Public Service Camps, had a feeling that objectors assigned to work of national importance should be separated upon a basis comparable to that of registrants in combatant and noncombatant service. But such procedure for the discharge of Class IV–E men in camps was not always feasible as will be seen from the following discussion.

The One-Year Period of First Camp Assignments

Conscientious objectors who were sent to Civilian Public Service Camps "in lieu of induction" were occasionally called "inductees." However, the process by which they were ordered to camp was officially known as "assignment" and they were usually termed "assignees." As assignees to work of national importance they were expected to serve the same length of time as registrants who were inducted into the armed forces. In this connection the originally enacted section 3 (b) of the Selective Training and Service Act of 1940 read as follows:

> Each man inducted under the provisions of subsection (a) shall serve for a training and service period of twelve consecutive months, unless sooner discharged, except that whenever the Congress has declared that the national interest is imperiled, such 12-month period may be extended by the President to such time as may be necessary in the interests of national defense.

The duty of the first assignees to the civilian work program, then, was for a one-year period like that of the early inductees into the armed forces.

Extension of the Period to 18 Months

This length-of-service section of the 1940 law was effected, however, by a provision of the Service Extension Act of 1941, approved August 18, 1941, which declared that the national interest was imperiled and provided "that extension of the periods of active military service, or training and service, in the case of any person subject to the provisions of this section, shall not, without his consent exceed 18 months in the aggregate."[1] Accordingly President Franklin D. Roosevelt issued a proclamation on August 21 in which it was ordered:

> 1. The periods of training and service of all persons inducted for training and service under the provisions of the Selective Training and Service Act of 1940, as amended, who are now, or who may hereafter be, in such training and service are hereby extended for a period of 18 months, unless such persons are sooner discharged.[2]

Thus the period of service for both the camp assignee and the armed forces inductee became 18 months instead of 12 as originally established.

A Further Change to "Duration and Six Months"

Other laws approved after Pearl Harbor on December 13 and 20, 1941, provided that registrants inducted under the Selective Training and Service Act of 1940, might have their periods of service or training and service extended by the President. He could extend their terms of duty for such additional time as he felt might be necessary in the interest of national defense. Such periods of extension, however, should end not less than 6 months after the termination of the war unless the men involved should voluntarily extend their own terms of service. Both assignees and inductees were therefore on duty for the duration of the war and 6 months thereafter under these new provisions.[3]

Return to 18 Months After VE- and VJ-Days

Section 3 (b) of the Selective Service Act was again amended on June 29, 1946, and this was its final form. The final change provided that inductees who completed a period of training and service under the 1940 Act, of 18 months or more (excluding time served while pursuing a course of instruction in a university, college, or other similar institution of learning) should, on or after October 1, 1946, upon their request, be relieved from their period of training and service.[4]

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[1] Public Law 213, 77th Cong., 1st Sess. (Washington: 1941).

[2] Executive Order 8862 (6 F. R. 4319, (Washington: 1941).

[3] Public Law 338 and Public Law 360, 77th Cong., 1st Sess. (Washington: 1941).

[4] Public Law 473, 79th Cong., 2d Sess. (Washington: 1946).

Here and in the previous connections cited, Selective Service attempted to follow exactly the same general procedure as the armed forces with respect to the separation of objectors who had served for the legally specified length of time in C. P. S. Camps. The intent of National Headquarters in such regard was expressed in a memorandum by its General Counsel, October 21, 1941, in which he made the following observation:

> Though section 5 (g), dealing with a conscientious objector, very generally provides that "he shall, in lieu of such induction, be assigned to work of national importance under civilian direction;" nevertheless, in dealing with conscientious objectors, National Headquarters has, in all cases wherever consistently possible, clearly followed the specific rules applicable to persons inducted into the land forces.

Although registrants inducted into the armed forces during the last months in which the System operated were legally subject to 18 months' service, the expiration of the 1940 law on March 31, 1947, left Selective Service without authority to continue the C. P. S. Camps. Accordingly, the last of the objector assignees were given their certificates of release in advance of that date. This action was somewhat anticipatory as regards that of the armed forces, but the War Department, which had stopped inductions October 15, 1946, subsequently announced the release of all remaining inductees effective on or about June 30, 1947.

Release of Assignees 28 Years of Age and Over

In the summer of 1941 public opinion became fairly well crystallized in the United States to the effect that it was inadvisable to train older registrants for service with the armed forces. Consequently, an amendment to the Act of 1940 was enacted on August 16, 1941. It limited future inductions to men of the ages 21 through 27. It likewise provided that a registrant 28 years of age and over, who had already been inducted, could be released from active duty upon his own request, if he had attained the 28th anniversary of his birth prior to induction and on or prior to July 1, 1941. The amendment provided specifically:

> That the Secretary of War shall, as soon as practicable and when not in conflict with the interests of national defense, release from active training and service under section 3 (b) of this act, and transfer to a reserve component of the land forces under the provisions of section 3 (c) of this act, regardless of his period of training and service, any person who has heretofore been inducted into the land forces under this act, who requests such release, and who had attained the twenty-eighth anniversary of the day of his birth on or prior to July 1, 1941, and prior to such induction.[5]

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[5] Public Law 206, 77th Cong., 1st Sess. (Washington: 1941).

Proceeding to execute this provision, the System gave the National Service Board for Religious Objectors instructions, on August 21, 1941, regarding the form in which assignees to the civilian work program meeting these general qualifications, might make application for discharge. As a result, in October and November of that year 97 assignees to C. P. S. Camps were issued Interim Certificates of Release (DSS Form 46). While these certificates were technically of an interim nature and the 97 registrant objectors to whom they were issued were subject to recall as "C. P. S. Reservists," none of them were ever recalled as such. Instead, the Selective Service local boards reclassified them in Class IV–H or IV–EH and later into deferred or exempt classifications. However, after the age limit for liability was raised to 44 years following the declaration of war, 52 of these men were subsequently reclassified IV–E and again returned to camp through the issuance of DSS Forms 48, 49, and 50.[6]

The Separation of Objectors Aged 38 and Over

Beginning in December 1942, the Army gave discharges to men 38 years of age and over. This was done at first because older men were found prone to develop disabilities in training; later, however, the provision for separating older men was made more lenient, though restricted to those who planned to enter employment in essential industry, including agriculture.[7] Selective Service made similar arrangements for assignees who were 38 and over by the issuance of Administrative Directive No. 14 on May 6, 1943. This directive provided for transferring to a Civilian Public Service Reserve the objectors who had attained that age on February 28, 1943, and who made application on or before June 1, 1943.[8] There was not much activity in this regard, however, until demobilization.

It will be noted from Table No. 16 that the first 17 of these furloughs to the C. P. S. Reserve were granted in May and June 1943. Within the next 6 months 33 more registrants were given similar transfers. Thereafter, only a scattered few of this kind of separation occurred until February 1946. In connection with the general demobilization plan in effect at that time a special procedure for furloughing men to the Reserve was adopted. Under this special arrangement a camp assignee might be furloughed for a particular purpose when he was within approximately 6 months of qualifying for final discharge. Principal among these purposes was work in the preparation of foreign relief supplies in this country and as a cattle-boat attendant for the relief shipment of livestock to European countries.

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[6] Appendix F, Item Nos. 88–96.

[7] *Special Monograph No. 7, "Agricultural Deferment,"* Selective Service System (Washington: 1947).

[8] Appendix D, Item No. 37.

All such special age furloughs were subject to termination if the assignee did not live up to his work agreement.

Most of these reservists were finally demobilized beginning in May 1946. The other figures in Table No. 16 indicate those who were discharged in May 1944 and May, July, and August, 1945. They were released for physical disability and over-age. The remainder were demobilized upon receipt of information that they had completed the service for which they had been furloughed. For the most part such discharges were issued about 6 months after furlough began.

TABLE NO. 16.—*Civilian Public Service Camp assignees furloughed to and separated from the Civilian Public Service Reserve by the half-years May 1943–March 1947*

Half year	Number		Half year	Number	
	Furloughed	Discharged		Furloughed	Discharged
May and June, 1943	17	0	January to June, 1946	293	61
July to December	33	0	July to December	63	291
January to June, 1944	2	1	January to March, 1947	0	55
July to December	1	0			
January to June, 1945	3	1	Total	412	412
July to December	0	3			

Release of Assignees 40 Years of Age and Older

On June 14, 1945, the separation of registrants in C. P. S. Camps who had attained 40 years of age was authorized, provided their services had been satisfactory. This was done through Administrative Directive No. 25.[9] Applications for discharge under this provision were to be accompanied by statements indicating when the assignees could be spared from the project. The application was subject to approval by National Headquarters and after it was approved, a complete final type physical examination was required.[10] This type of examination also became a requirement for all men subsequently released under the general demobilization plan.

The release of 40-year olds affected but a small group of objectors, since only about 20 men of this age were still left in camps at the time of its initiation. Half of these were promptly discharged. The remainder were separated in October of 1945 having been held temporarily until replacements could be trained for the key positions they occupied.

Physical Disability Discharges

There were some separations from the C. P. S. Camps prior to the first of these over-age releases. As a matter of fact discharges of a more conclusive nature than the 28-year-of-age-and-over category began only few months after the camps were established and Class IV–E objectors were assigned to them. The first of these assignees to be separated was so acted upon because of physical disability. In this connection, he was issued an Interim Certificate of Release from Active Participation in Work of National Importance under Civilian Direction (DSS Form 46), effective July 13, 1941. When this registrant was examined by the camp physician he was found to have an active case of tuberculosis. He was actually discharged from camp less than 3 weeks after he had reported.

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[9] Appendix D, Item No. 49.

[10] Form 222, Appendix F, Item No. 105.

During the entire operation of the civilian work program a total of 1,566 or about 13 percent of all assignees were separated by reason of physical disability (Table No. 17). For the most part requests for discharge on physical grounds were acted upon by the Assistant Director of Selective Service who was in charge of the Camp Operations Division at the National Headquarters of the System. He did so with the advice of the Medical Division of Headquarters. After the establishment of a Special Separation Board for Objectors, however, a few such cases were processed through this board for recommended action.

When it became apparent in the early days of the Civilian Public Service Camps that assignees were present in these units who were not physically qualified for the work, National Headquarters requested the State Director of Selective Service in each State where camps were first established, to assign the nearest or most conveniently available medical advisory board of the System to each camp. Its function in this capacity was to pass upon the cases of physical disability referred for such consideration by Headquarters. The advisory board was to send to National Headquarters a report of examination and make a recommendation as to the disposition of each case referred to it.

TABLE NO. 17.—*Selective Service assignees discharged from Civilian Public Service Camps by month and reason for separation, July 1941–March 1947*

Month and year	Reason for separation								
	Demobilization	Physical disability	Dependency	Occupation	Military service	Death	Delinquency	Miscellaneous	Total
1941									
July	1	1							2
August		12	4	1	3				20
September		14	10	1					25
October	94	11	7	2	7			1	122
November	3	9	10	1	6				29
December		13	6	1	2		3	1	26
1942									
January		19	2	1	1			1	24
February		8	1	2	3		1	1	16
March		7	3	2	3	1			16

TABLE No. 17.—*Selective Service assignees discharged from Civilian Public Service Camps by month and reason for separation, July 1941–March 1947*—Continued

Month and year	Reason for separation and number								
	Demobilization	Physical disability	Dependency	Occupation	Military service	Death	Delinquency	Miscellaneous	Total
1942—Continued									
April	--------	10	1	3	7	--------	2	--------	23
May	--------	14	1	2	15	--------	2	--------	34
June	--------	3	1	3	12	--------	1	1	21
July	--------	14	2	1	25	--------	1	--------	43
August	--------	11	--------	--------	24	--------	5	1	41
September	--------	11	--------	2	11	1	4	3	32
October	--------	25	1	--------	35	1	7	2	71
November	--------	23	--------	1	17	--------	6	1	48
December	--------	21	--------	2	21	--------	8	--------	52
1943									
January	--------	27	--------	--------	25	2	4	--------	58
February	--------	21	1	10	31	--------	8	--------	71
March	--------	37	--------	6	47	1	10	--------	101
April	--------	51	--------	14	27	2	7	--------	101
May	--------	87	--------	12	30	--------	3	--------	132
June	--------	42	--------	10	31	--------	6	1	90
July	--------	48	--------	9	15	2	17	--------	91
August	--------	60	1	16	42	--------	8	--------	127
September	--------	46	--------	7	37	2	4	--------	96
October	--------	52	1	3	38	--------	9	2	105
November	--------	65	1	3	37	1	6	1	114
December	--------	58	--------	5	29	--------	6	--------	98
1944									
January	--------	37	--------	3	33	--------	7	1	81
February	--------	48	--------	3	21	--------	7	1	80
March	--------	61	1	2	18	--------	5	--------	87
April	--------	37	1	--------	19	--------	7	1	65
May	--------	28	--------	1	19	--------	14	3	65
June	--------	24	--------	1	18	--------	12	--------	55
July	--------	25	--------	2	17	--------	6	2	52
August	--------	20	2	--------	16	1	11	--------	50
September	--------	23	--------	1	15	1	8	2	50
October	--------	23	1	1	12	1	9	--------	47
November	--------	15	3	--------	15	--------	9	1	43
December	--------	15	--------	1	12	--------	9	2	39
1945									
January	--------	19	--------	--------	4	1	9	1	34
February	--------	14	1	3	7	--------	3	2	30
March	--------	17	1	--------	17	1	7	--------	43
April	--------	21	3	2	15	--------	13	3	57
May	5	25	2	--------	22	1	15	3	73
June	3	16	--------	3	8	--------	17	--------	47
July	2	34	2	2	13	2	16	1	72
August	1	31	2	--------	5	2	3	1	45
September	--------	15	6	--------	--------	2	1	2	26
October	98	28	10	--------	1	1	--------	--------	138
November	597	16	22	--------	1	2	4	1	643
December	753	24	29	--------	1	1	1	--------	809
1946									
January	618	20	33	--------	2	--------	1	--------	674
February	545	15	12	--------	--------	--------	3	--------	575
March	953	19	39	3	1	--------	1	--------	1,016
April	541	21	16	6	4	--------	--------	--------	588
May	743	23	7	2	1	--------	--------	--------	776
June	739	7	18	11	2	1	1	--------	779
July	526	5	8	12	--------	--------	1	--------	552
August	600	10	5	2	--------	--------	21	--------	638
September	425	6	2	1	--------	--------	14	--------	448
October	322	1	3	2	2	--------	16	--------	346
November	130	1	2	--------	2	--------	5	--------	140
December	455	1	1	--------	--------	--------	7	--------	464
1947									
January	3	--------	3	--------	--------	--------	17	--------	23
February	4	--------	1	--------	--------	--------	5	1	11
March	247	1	1	--------	1	--------	110	--------	360
Total	8,408	1,566	290	184	905	30	523	44	11,950

Part Played by Medical Advisory Boards

With the increase in assignees and in camp units the general regulations of Selective Service were amended on February 20, 1943, to include in the duties of medical advisory boards the examining and reporting of assignees performing work of national importance, as follows:

> 603.31. *Composition, appointments, and duties.*—(b) Upon proper request the medical advisory board shall examine and submit a report on the physical and mental fitness for service of a registrant who has been rejected for or separated from either military service or work of national importance under civilian direction. Upon request of the Director of Selective Service, the medical advisory board shall examine and submit a report on the physical and mental fitness of any assignee who is performing work of national importance and, if requested, shall recommend for or against the discharge of such assignee based upon his physical or mental condition.[11]

Before referring a physical disability case to the medical advisory board, the camp director first arranged for the camp physician to make an examination of the assignee, prepare a diagnosis and submit a request to the National Headquarters of the System through the National Service Board for Religious Objectors. The materials accompanied the Director's own request that the registrant be referred to a medical advisory board. If the Service Board concurred in the findings of the physician, the communications were forwarded to National Headquarters with a recommendation that the assignee be examined by the advisory board.

Following the receipt of the request at National Headquarters, it was referred to the Medical Division for review and recommendation as to a medical advisory board examination. If the Medical Division recommended the examination, the necessary correspondence was sent to the State Director where the camp was located, asking that the chairman of the most conveniently located advisory board arrange with the camp director for the appearance of the assignee for examination by the proper specialist of the board. Whenever transportation by commercial carrier was necessary and available, the camp director provided Government transportation requests to the registrant for travel purposes together with meal and lodging tickets for the period of his absence from camp.

Following the examination, the report on it together with the recommendation of the medical advisory board, was forwarded through the State Director to National Headquarters where it was reviewed in the Medical Division. A variety of recommendations came from the advisory boards, such as, discharge, correct disability by medical or surgical treatment, place assignee on light duties, reassign to different work in same camp or unit, transfer to another location, retain in camp on full-time work of national importance.

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[11] *Selective Service Regulations,* 2d edition, 2d printing (Washington: 1943), Amend. No. 129.

In general, the recommendations of the medical advisory boards were concurred in by the Medical Division and the information they submitted was furnished to the camp directors through the National Service Board for Religious Objectors. It should be pointed out, however, that in numerous cases where medical or surgical treatment was recommended by an advisory board and offered to the assignee, he refused to submit to corrective treatment because of religious scruples. As has already been indicated some sects to which objectors belonged did not believe in doctors or medicine of any kind. Practically all of such cases were disposed of through separation. This was found to be the most logical solution. These assignees could perform no useful work and were liabilities to the camp administration and the Government.

In a considerable number of cases where the medical advisory boards recommended discharge, the Medical Division of National Headquarters did not concur, because other evidence on record indicated that there was malingering or activity on the part of the particular objectors to exaggerate their symptoms and complaints in an effort to obtain release. Under such circumstances, camp directors were informed that it was the opinion of the Medical Division that the registrants were not suffering from any physical or mental disability for which discharge was justified.

In other instances, there were histories of long-standing disabilities existing prior to assignment. If this condition was considered disqualifying as of the time of assignment, the objector was discharged from camp without examination by a medical advisory board. In some cases assignees were found to be suffering from disabilities which existed at the time of assignment but were not then considered disqualifying. At a later date these disabilities appeared on a newly developed list of defects for rejecting registrants from service with the armed forces. However, since the Army was not discharging men with like disabilities, assignees with these defects were required to remain in camp and were given duties commensurate with their abilities.[12]

Release Because of Previous Service

Mention has been made of the first separation from a Civilian Public Service Camp. It occurred July 13, 1941, and was on physical grounds. The second release was five days later on July 18. The reason for this discharge was that the objector had previously served for more than 3½ years in the Navy. His separation came about by reason of an amendment to the Selective Training and Service Act of 1940, approved May 29, 1941, which provided that registrants who had served three years satisfactorily in the Army, Navy, Marine Corps, or Coast Guard were to be deferred, or were to be released if already inducted. The pertinent paragraph 5 (b) of the amendment read:

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[12] Administrative Directive No. 2, Appendix D, Item No. 25.

> (1) Any person who shall have satisfactorily served as an officer or enlisted man for at least three consecutive years in the Regular Army, Navy, Marine Corps, or Coast Guard before or after or partially before and partially after the time fixed for registration under section 2: *Provided*, That any person who has had such prior service and who has already been inducted for service may upon application be discharged and shall not be liable for further training and service in time of peace.[13]

There were not many separations of this kind from the civilian work program, however.

Dependency Separations

A total of 290 objectors were separated from C. P. S. Camps on dependency grounds. A larger proportion of releases due to dependency hardship were necessary from the civilian work program than from the armed forces. In this connection it will be recalled that assignees received neither pay for their services nor dependency allowances and allotments for their families. Although the objector's religious group attempted to contribute to the needs of his family where undue hardships existed, this did not always rectify the situation. The qualifications for the camp discharge of registrants on account of undue hardship were perhaps only slightly more liberal than those of the armed forces, but in view of the situation with reference to earnings there were proportionately more cases which came up for consideration on these grounds.

More than half of the dependency hardship separations were granted during the time the Special Separation Board for Camps was handling cases in an advisory capacity; release was made upon the recommendation of the Board. An examination of the statistics on the activities of the Board discloses that a proportionately larger number of applications for dependency discharge were granted than for other reasons (Table No. 18, *et seq.*).

Objectors Released for Occupational Reasons

As many as 184 assignees were separated from camp for occupational reasons. In certain instances it appeared advisable to release registrants to return to their previous occupations, that is, mostly to the same positions or jobs held before assignment. Ordinarily, such action was not taken until after the case had been reconsidered by the local board concerned and after a study of the board's comments and recommendations by the Camp Operations Division.

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[13] Public Law 87, 77th Cong., 1st Sess. (Washington: 1941).

New information was submitted by the objector in some instances and the local board in effect gave an unofficial reconsideration to the case. Quite often expert opinion was sought by the board, such as, from the county agent in agricultural cases. In a good many of such instances the assignee applied for discharge on the grounds of changes in the home situation, such as illness, disability, or death of an essential farm worker.

It should be added that the greater majority of occupational discharges were for agricultural purposes. However, there were isolated instances where registrants in C. P. S. Camps were allowed through separation to go back to copper and coal mining and other occupations. All releases of this kind were "for the convenience of the Government" and "in the national interest."

Separation to Join the Armed Forces

Shortly after the release of the first and second assignees from civilian work three additional objectors were discharged for the purpose of entering the armed forces. Separations of this nature surprisingly enough continued throughout the 1940–47 operations of Selective Service. Such fact is a tribute to the educational and persuasive efforts of the System, the National Service Board, the technical agencies and the Department of Justice.

A total of 905 registrants, or between 7 and 8 percent of the objectors who were assigned to C. P. S. Camps, were later reclassified by local boards at their own request into classes available for armed service, or went directly into the Army or Navy through volunteering. During most of the World War II operation a request made by an assignee for reclassification was referred to his local board along with permission to reclassify him as available for induction. The registrant would then be sent to an induction station in the regular manner. In such cases requests for immediate induction were often made by the objectors. As a means of expediting the procedure, some assignees simply walked out of camp, went to a recruiting station and enlisted.

During the time when the Army and the Navy were relying on Selective Service for all their men and were not accepting volunteers, it was necessary that the objector in camp who wished to join the armed forces be reclassified and forwarded to the induction station. Then too, if an assignee requested a noncombatant status in the Army or Navy, it was necessary to process him through his local board in order to insure such status. It is true, however, that during this period the Army did upon occasion accept objector volunteers from C. P. S. Camps for the Medical Corps and that the Navy accepted them for assignment to hospitals. It is believed, though, that no volunteers so enlisted and assigned received authoritative guarantees against later reassignment to combatant types of duty.

It was the usual custom, during times when the armed forces were recruiting, to give the assignee who stated in writing that he was no longer a conscientious objector, an emergency furlough from a camp for the purpose of enlisting. He was also given a letter of permission to enlist, signed by the Director of Selective Service, with the suggestion that he take this with him to the recruiting station.

Complete statistics are not available but those at hand indicate that about two-thirds of the registrants leaving work of national importance for armed service asked for noncombatant duty. The other third went into service without reservation. In general the men simply stated in writing that they were no longer conscientious objectors or that they were no longer opposed to noncombatant duty in the armed forces. Sometimes they offered additional information. Some said that their assignment to an objector camp was through misunderstanding; others indicated that they felt out of place in camp, were not conscientious objectors at heart, or did not like the idea of working without pay.

Release Through Death

Thirty registrants died while assigned to objector camps. The causes of death were varied. Some met death while "on project work." Others died from accident or sickness while "in camp" and a few while at home on furlough. The information available shows the causes of death to have been: Infection arising from carbuncle, automobile accident on furlough, drowning (discharge had already been recommended because of psychoneurosis severe, with anxiety and hysteria; coroner's verdict was "suicide"), machinery accident on job, cerebral embolus following appendectomy (sickness developed on job), drowned while searching for lost Coast Guard airplane, poliomyelitis contracted on job as laboratory technician, brain abscess (on duty at time of sickness), drowned on recreation trip (5 cases), peritonitis following appendectomy (on duty), accidentally electrocuted while changing fuse on transformer pole, lymphosarcoma of anterior mediastinum with aplastic anemia (contracted while on project in Puerto Rico), accidental death on railroad track while on liberty from camp, pneumonia while home on furlough, burns caused by explosion in bunk house used for side camp (2 cases), automobile accident en route to duty station, automobile accident on furlough, killed by falling tree on project while driving bulldozer, drowned while aiding farmers to get cattle out of storm, head injury from falling tree on project, brain tumor while on absent-sick status, injured by rolling log on project, bicycle accident on recreation trip, death following operation by home physician pursuant to diagnosis of gall bladder pathology and killed by falling snag on project.

Desertions and Other Delinquency Separations

A total of 523 assignees were separated from C. P. S. Camps as delinquents including those reported to the Department of Justice at the time of the expiration of the Selective Service Act in 1947. When an objector deserted his assignment or failed to comply with the requirements in camp, he was, as has been seen, subject to criminal prosecution by the Federal courts in accordance with the punitive provisions of the act. Whether the man merely walked out of camp as a deserter, refused to return to his assignment after an authorized furlough, left camp on an order to transfer to another camp and failed to report to the new unit, or refused to perform assigned duties, he was reported for prosecution to the United States attorney having jurisdiction over the area in which the offense was committed or directly to the Department of Justice.

In cases of this type, the date of reporting the assignee for prosecution might have been considered the time when the System lost practical control over him. However, in instances of work refusal, the objectors usually remained in camp physically until they were arrested and removed by authority of the Justice Department. The Camp Operations Division ordinarily continued to carry all delinquent assignees on its records until such time as the question of violation was resolved through court action or through action of the Department of Justice indicating that there would be no further prosecution. A conviction in the district court was considered sufficient reason to drop the man from the Civilian Public Service Camp rolls even though an appeal was noted.

When the registrant was charged with a violation and after trial found not guilty, or when his case was dismissed in court, or when the Justice Department or the United States attorney concerned with the case refused to prosecute, the assignee was also considered to have been separated from work of national importance. In actuality, at such time the National Headquarters of Selective Service lost complete control over the objector. An exception to this rule existed in cases where the man had been charged with a violation of camp procedure and where the finding of not guilty or the dismissal of the case or the refusal to prosecute had the effect of requiring the man to return to the unit.

Discharge for Miscellaneous Reasons

The reasons for separation in 44 cases were listed as miscellaneous. These included 10 who could justifiably have been exempted as ministers of religion, four who were found to have been otherwise erroneously assigned, and four who were released for administrative reasons. The reasons for the remaining discharges of this miscellaneous category are varied and not readily described.

Demobilization

In the closing months of 1945 a demobilization program was put into operation for both inductees and assignees. The one for conscientious objectors operated month by month into December 1946. While in a sense not separated under the terms of the demobilization program, the assignees released because of legislative changes in the basic act were treated statistically as demobilized men. Using this approach, a total of 8,408 or 70 percent of all separations from Civilian Public Service Camps were the result of demobilization. Ninety-four of these discharges were before Pearl Harbor and by reason of being 28 years of age and over but the others were demobilized after November 1945.

Proposed Legislation for Demobilizing Objectors

On May 26, 1945, a plan for the partial demobilization of conscientious objectors assigned to the civilian work program was announced by Selective Service.[14] It was based on a point system of service similar to that of the armed forces, but nevertheless its announcement created considerable public interest and the opposition of various groups. The Committee on Military Affairs of the House of Representatives became especially concerned and a member of that committee, Mr. Winstead introduced the following bill which was known as H. R. 3597, Seventy-ninth Congress, First session:

> A BILL To make the point system in effect with respect to discharge or release from the Army applicable to the release of conscientious objectors from the work to which they have been assigned.
>
> *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in determining from time to time the order in which men assigned to work of national importance under civilian direction pursuant to section 5 (g) of the Selective Training and Service Act of 1940, as amended, shall be released from such work, the same point system, the same point values, and the same minimum number of points to establish eligibility for discharge or release, as are applicable with respect to the discharge of men from, and the release of men from active duty in, the Army, shall apply.

H. R. 3597 did not receive much support, however, so after considerable discussion in committee at which the System was represented, Mr. Winstead introduced a new bill on July 12, 1945, known as H. R. 3772, Seventy-ninth Congress, First session, and reading as follows:

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[14] Appendix D, Item No. 48.

A BILL To prevent a point system for the release of conscientious objectors performing assigned work under civilian direction pursuant to section 5 (g) of the Selective Training and Service Act of 1940, as amended, from being put into effect.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no point system shall be applied in the release of men assigned to work of national importance under civilian direction pursuant to section 5 (g) of the Selective Training and Service Act of 1940, as amended: *Provided,* That nothing herein shall prevent the release of such men because of undue hardship.

This second bill was recommended favorably for passage by the House Committee on Military Affairs in a unanimous vote. Such action was covered by Report No. 904 submitted from the Committee on Military Affairs by Mr. Winstead. On the same day as its introduction the bill was referred to the Committee of the Whole House on the State of the Union and ordered to be printed. The report which Mr. Winstead had submitted read:

The Committee on Military Affairs, to whom was referred the bill (H. R. 3772) to prevent a point system for the release of conscientious objectors performing assigned work under civilian direction pursuant to section 5 (g) of the Selective Training and Service Act of 1940, as amended, from being put into effect, having considered the same report favorably thereon without amendment and recommend that the bill do pass.

The bill directs that no point system shall be established for the release of men assigned to work of national importance under civilian direction pursuant to section 5 (g) of the Selective Training and Service Act of 1940, as amended, which contains the provisions relating to the deferment of conscientious objectors. The bill does not affect releases for undue hardship.

Under recent regulations issued by the Selective Service System, conscientious objectors were to be released under a point system similar in principle to the plan for partial demobilization of the Army, but differing in important details from, and being in some respects more liberal than, that plan. Under the Selective Service System regulations, 1 credit for each month of service in a civilian public-service camp, 12 credits for each child under 18, and 3 credits for a wife were allowed conscientious objectors. Completion of 1 full year in a civilian public-service camp prior to May 12, 1945, is a prerequisite for application and release and, although no minimum number of credits necessary for release has been established by the regulations, it has been stated that conscientious objectors possessing the highest number of credits will be released and that the first discharges under the plan would occur during August 1945.

It is the opinion of the committee that conscientious objectors performing assigned civilian work should not be permitted release to resume normal life while the armed forces are still engaged in combat with the enemy and members of such forces are denied release. To provide for release of such conscientious objectors under the point system would adversely affect morale in the armed forces.

Shortly thereafter the Congress recessed and further action was not taken on the bill. However, Selective Service had no disposition to continue with its original plan for placing into effect a point system of discharge for Class IV–E registrants in Civilian Public

Service Camps. The sentiment as pressed in the House Committee on Military Affairs was that action would probably be taken by the Congress to prevent the use of such a plan if it was put into effect.

A Final Plan Requiring No Legislation

In the meantime, Japan surrendered. Following VJ-Day, members of the System's National Headquarters' staff met with a group of Congressmen to discuss further the matter of the separation of conscientious objectors from camp duty. At this conference it was informally agreed that further action would not be taken on the Winstead bill. It was likewise agreed that plans for the demobilization of objector assignees would be carried forward without the use of a point system and in such manner that these registrants would not be discharged more rapidly or under more favorable circumstances than those in the armed forces. An agreement was likewise made that the principal basis for release would be the length of objector service in camp.

Circular Letters on the Demobilization Program

The general plan of the System's program for demobilizing Class IV–E objectors was brought to the attention of the various Civilian Public Service Camps through the issuance of a series of Circular Letters entitled "To All Camps and Institutions Using Conscientious Objectors." These were sent out on the following dates: October 18 and 25, November 9 and 19, December 3 and 20, 1945; January 4 and 23, February 25, March 25, April 25, May 24, June 24, July 1, and November 5, 1946.[15]

For the most part month-to-month policies were established for different categories of assignees according to age, marital status, and length of service. In a number of cases factors were combined in the establishing of a category. For instance, the first circular contained the information that, as of November 1, 1945, application might be made for discharge by registrants who had completed four years of service and were married. The previous bulletin had made assignees who were 35 years of age and who had been on camp duty for a period of two years eligible for discharge on October 20.

Categories Set Up For Release

The following summary sets forth the pertinent changes in these directives. In interpreting this compilation it should be remembered that once a standard of discharge was set up there was an attempt to maintain it until the end of demobilization though it might be subject to some liberalization in the meantime. The first directive stated that 35 year old assignees with 24 months of camp service would be eligible for discharge. This rule held true not only until the issuance of the next directive but also at any later time when an objector met these two conditions. The January 4, 1946 directive provided for the release of natural fathers of three dependent children. Thereafter, a registrant qualified for separation when he became the father of a third child. A child was considered such, under demobilization procedures, from the date of its conception.

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[15] Appendix D, Item Nos. 60–74.

CATEGORIES ESTABLISHED IN DEMOBILIZATION DIRECTIVES

October 18, 1945[16]—35-year-old assignees with 24 months of service.

November 1, 1945—Married men with 48 months of camp duty.

November 15, 1945—Assignees who completed 48 months of service as of December 31.

November 26, 1945—38-year-old objectors in C. P. S. Camps.

January 1, 1946—Registrants with 44 months of service.

January 10, 1946—Natural fathers of three dependent children.

February 1, 1946—Assignees with 43 months of duty. Natural fathers of two dependent children with 24 months of service.

March 1, 1946—Objectors with 41 months of duty. Natural fathers of one dependent child, with 36 months of service.

April 1, 1946—Registrants with 40 months of camp assignment.

May 1, 1946—Assignees with 36 months of service. Natural fathers of two dependent children, with 18 months of duty. Natural fathers of one dependent child, with 30 months of duty.

June 1, 1946—Objectors with 30 months of camp service. Natural fathers of one dependent child, with 24 months of duty.

July 1, 1946—Registrants with 24 months of service. Natural fathers of one dependent child, with 21 months of duty.

August 1, 1946—Assignees with 22 months of duty. Natural fathers of one or more dependent children.

September 1, 1946—Objectors with 20 months of service.

October 1, 1946—Registrants with 18 months of duty.

December 10, 1946—Assignees reporting to work of national importance on or before December 31, 1945.

March 31, 1947—All remaining camp assignees.

A Separation Board for the Discharge of Objectors

On May 19, 1945, the Director of Selective Service created the Separation Board for Conscientious Objectors for the purpose of recommending procedures and policies regarding the discharge of men from C. P. S. Camps and to consider and make recommendations on individual applications for release. The directive in this connection was Operations Order No. 39, and it read:

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[16] Effective date of the change in category, rather than the date upon which the circular was issued.

> Under and by virtue of the authority vested in me by the Selective Training and Service Act of 1940, as amended, I hereby order:
>
> 1. There is created in National Headquarters a board of three officers to be designated by the Director; one to be known as legal member; one to be known as medical member; and one to be known as administrative member. The board shall be known as The Separation Board for Conscientious Objectors, and its function shall be to consider and recommend to the Director of Selective Service procedures and policies concerning the discharge of conscientious objectors from work of national importance and make recommendations thereon to the Director of Selective Service. The Assistant Director, Camp Operations, may appoint a recorder for said board who shall be assigned to Camp Operations and who shall not be a member of said board or possess voting privileges thereon.

About a year later a new order was issued changing the size of the Board from three to five officers. This order deleted the first sentence of the original directive and substituted for it the following: "There is created in National Headquarters a board of not less than three nor more than five officers to be designated by the Director of Selective Service."[17]

The personnel as well as the membership of the Separation Board, changed from time to time.[18] It began considering cases in June 1945 and officially handled 630 cases between that time and March 31, 1947. Cases were referred to the Board by Col. Lewis F. Kosch, the Assistant Director of Selective Service in charge of the Camp Operations Division and the Board in turn made advisory recommendations to him. It should be stated also that in many instances the Assistant Director acted upon discharge matters without formal reference to the Separation Board, the principal function of the Board being to give advice in questionable cases.

Directives Concerning the Separation Board

The circular letter sent to all camps and institutions using conscientious objectors under date of January 4, 1946, and covering items regarding the general demobilization plan, contained an additional paragraph regarding special cases somewhat similar to, but not included in, the general plan. In such regard the letter read:

> 3. Application for discharge of assignees who have three or more dependents under 18 years of age who occupy a status similar to that of natural children to the assignee, may be submitted to this Headquarters on or after January 10, 1946, and will be processed the same as hardship cases through the Separation Board. These applications should contain substantially the same information outlined in paragraph 2, above. In addition there should be a detailed statement

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[17] Operations Order No. 39–A, March 4, 1946 (11 F. R. 2257).

[18] Operations Orders: No. 40, May 19, 1945 (10 F. R. 5980); No. 42–A, March 6, 1946 (11 F. R. 2374); No. 40–B, April 19, 1946 (11 F. R. 4524); No. 40–C, May 2, 1946 (11 F. R. 5018); and No. 40–D, October 11, 1946 (11 F. R. 12195).

showing the exact status of dependents and the assignee, how and when this status was acquired, and the assignee's responsibility for the support of the dependents. These allegations should be verified by statements of disinterested parties. Physical examination of these assignees should not be furnished until requested.

Similar information regarding cases which might be submitted to the Separation Board was contained in successive circulars of the series which were issued January 23, February 25, March 25, April 25, May 24, June 24, and July 1, 1946.

Application Procedure for Release

As a rule, the applications for separation were mailed to the Camp Operations Division directly by the assignee or through the National Service Board for Religious Objectors. In most cases the materials presented to National Headquarters were forwarded through the appropriate State Director of Selective Service to the registrant's own local board with a request for investigation regarding the claims made by the objector and for comment or recommendation by either the board or the State Director. In general, when cases were returned to the local board of the assignee the following type of letter to the State Director was used:

> Forwarded herewith is information concerning the application of the above-named assignee for discharge from work of national importance on the grounds of unusual hardship or on the grounds that such discharge is in the national health, safety, or interest.
>
> In granting discharges for hardship, we attempt to parallel the procedure of the armed forces, taking into consideration the additional fact that the assignees receive no pay or family allowances from the Government.
>
> It is requested that this particular case be referred to the concerned local board with instructions to have some city, county, or State welfare agency, the Red Cross, or other similar organization complete an independent investigation of the situation. It is further requested that when the investigation has been completed the original copy of the welfare report be returned to us, through your Headquarters. In this connection, any comment and recommendation which the concerned local board cares to make will also be appreciated.
>
> The Cover Sheet of this individual is forwarded to you herewith in order that both you and the local board may be informed regarding the background material of the case. It should be returned to this Headquarters with your report. It will be appreciated if you will expedite action in this case.[19]

Most of the cases which came before the Separation Board were those in which it was claimed that the assignment of the objector registrant to work of national importance in a Civilian Public Service Camp was resulting in extreme hardship and privation to a wife, child or parent with whom he had maintained a bona fide family relationship in their home. The second largest number of cases came under the general heading of national health, safety, and interest. In addition there were a number of cases where physical disability was claimed. Table No. 18 shows the number of cases considered by the board under each type of claim and the disposition of the cases.

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[19] Unpublished document at National Headquarters, Selective Service System, Washington.

TABLE NO. 18.—*Applications of conscientious objectors for release from C. P. S. Camps which were considered by the Separation Board, by action taken and reason for desiring discharge, June 1945–March 1947*

Reason for desiring discharge	Action		
	Considered	Discharged	Retained
Dependency-hardship	518	180	338
National health, safety and interest	142	56	86
Physical disability	38	29	9
Miscellaneous	18	5	13
Total	716	270	446
Number of different assignees involved	630	270	360

Statistics on the Board's Work

There were a number of instances where the same assignee made more than one application for discharge and was therefore considered more than once by the Separation Board. Eighty-two objectors had their cases reviewed twice while two were considered three separate times. In 47 of the 82 reconsiderations by the board the registrant was discharged after the second review; in the two considered at three different times one was discharged after the third review.

The magnitude of the month-by-month operation of the Separation Board is shown in Table No. 19. In this table the action taken by the board is also shown.

TABLE NO. 19.—*Applications of conscientious objectors for release from C. P. S. Camps which were considered by the Separation Board by action taken and month, June 1945–March 1947*

Month and year	Action		
	Considered	Discharged	Retained
1945			
June	13	9	4
July	12	8	4
August	13	6	7
September	26	11	15
October	43	21	22
November	60	29	31
December	71	32	39
1946			
January	100	32	68
February	91	33	58
March	56	14	42
April	55	14	41
May	62	17	45
June	44	14	30
July	27	15	12
August	13	2	11
September	13	4	9
October	6	3	3
November	4	0	4
December	2	1	1
1947			
January	2	2	0
February	2	2	0
March	1	1	0
Total	716	270	446
Number of different assignees involved	630	270	360

During most of the time the Separation Board was functioning, the general demobilization program for the conscientious objectors of the C. P. S. Camps was in effect. As a result a considerable number of assignees whom the Board voted to retain in camp, were discharged shortly thereafter under the demobilization plan. In fact, the situation whereby the applicant would soon be eligible for regular discharge was often an important factor in the retention action of the Board.

Conspectus

With the advent of VE- and VJ-Days, demobilization got under way for Selective Service registrants who were assigned to civilian work of national importance as well as for those who had been inducted into the armed forces. The original plan of the System for demobilizing the conscientious objectors in Civilian Public Service Camps was to apply a point-scoring procedure similar to that set up for Army and Navy personnel. There was public and congressional opposition to the arrangement, however, on the grounds that it unduly favored the camp assignee. Selective Service indicated that this was not the case since objectors in camps did not receive the same allowances, allotments, pay, and other benefits of like nature as did individuals of the armed services. Nevertheless, the plan had to be revised. The change made length of service alone the principal factor in separation from camp duty and tended to ignore the factors of children under 18 and wives.

Prior to demobilization the release of Class IV–E registrants from the work-of-national-importance program was conducted on very much the same basis as discharge from the Army and Navy: over-age, physical disability, previous service in the armed forces, dependency hardship, occupational need, death, desertion, delinquency, and miscellaneous. It should be noted especially in this connection that a total of 905 or from 7 to 8 percent of all objectors in C. P. S. Camps were separated because of their desire to join the Army or Navy for noncombatant or combatant duty.

Regarding physical disability as a cause of release, the camp physician, the camp director, the National Service Board for Religious Objectors, the Camp Operations and Medical Divisions of National Headquarters and the medical advisory boards of the System all participated. Dependency hardship as a reason for discharge came under the purview of the camp director, the National Service Board, the Camp Operations Division, a Special Separation Board of National Headquarters, the State Headquarters and the local board.

Most camp assignees, 70 percent to be exact, were separated in connection with demobilization and since C. P. S. Camps were not authorized to operate after the expiration of the Selective Training and Service Act of 1940 on March 31, 1947, all registrants in such units were released by that date. Thus came to a close the first national experience of the United States in a civilian work program for conscientious objectors.

XVI

A STATISTICAL REVIEW OF CONSCIENTIOUS OBJECTORS

Statistics have already been presented on some phases of Selective Service operations in the field of conscientious objection during World War II. Information of this type has appeared in the discussions of (1) pacifist church denominations, (2) the American history of objection, (3) registrants who performed noncombatant service, (4) those who did work of national importance, (5) the System's classification of objectors, (6) Civilian Public Service Camps and their accomplishments in work of national importance, (7) camp assignees and other objectors who were law violators, and (8) the separation of registrants from the civilian work program. A brief review of these statistics and the presentation of additional data along this line should therefore be attempted.

Total Registrants Claiming Objection

Separate statistics were not compiled on the total number of registrants who claimed to be conscientious objectors. It is probable, however, that between 70,000 and 75,000 made such claims either as objectors to combatant service or to any duty with the armed forces. This estimate is based on the rosters kept by the local boards as required in section 5 (g) of the Act:

> Each person whose claim for exemption from combatant training and service because of conscientious objections is sustained shall be listed by the local board on a register of conscientious objectors.

Section 623.62 of the general Selective Service Regulations implemented this provision as follows:

> 623.62. Register of conscientious objectors.—The local board shall list on a register of conscientious objectors each registrant whose claim for special classification as a conscientious objector has been sustained, either by the local board or upon appeal. The register of conscientious objectors shall show separately those registrants who have been classified as available for noncombatant military service (Class I–A–O) and those who have been classified as available for work of national importance under civilian direction only (Class IV–E). No special form is provided for this register.[1]

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[1] As finally amended by Amendment No. 74, effective Aug. 18, 1942; appeared in the first edition of the *Selective Service Regulations* (Washington: 1940) as par. 366.

A Special Report on Objectors

As regards these rosters or registers, the Director of Selective Service on February 18, 1947, addressed a form letter to each State director requesting that information be compiled and forwarded from them. The information desired was the number of registrants who were at any time classified either in Class I–A–O or IV–E as conscientious objectors. Also requested was the number of local boards having no registrants so classified.

Table No. 20 shows the statistics on Classes I–A–O and IV–E from the replies to the Director's letter. It gives a total of 52,354 ever so classified or less than two-tenths of one percent of all registrants aged 18 through 44 years, the militarily liable group. This total represents only those registrants claiming conscientious objection who were at one time classified I–A–O or IV–E. Included therefore are the estimated 25,000 objectors who were inducted for noncombatant service,[2] the 11,950 who were assigned to work of national importance,[3] and the 1,624 convicted for failure to report for such work.[4] By adding these three figures and subtracting the result from the total of 52,354 in Table No. 20 a difference of 13,780 is obtained, representing Class

TABLE No. 20.—*Number and proportion of liable Selective Service registrants*[1] *on local board rosters of conscientious objectors, by State, February 1947*

State	Total registrants	Registrants on objector roster	Percent of total
Alabama	737, 413	554	0. 08
Arizona	137, 149	260	. 19
Arkansas	492, 185	478	. 10
California	2, 021, 892	5, 485	. 27
Colorado	277, 688	633	. 23
Connecticut	470, 903	359	. 08
Delaware	72, 674	137	. 19
District of Columbia	219, 196	193	. 09
Florida	521, 183	570	. 11
Georgia	806, 735	115	. 01
Idaho	137, 197	457	. 33
Illinois	2, 081, 727	2, 497	. 12
Indiana	881, 088	4, 272	. 48
Iowa	598, 461	1, 205	. 20
Kansas	423, 280	2, 835	. 67
Kentucky	715, 601	435	. 06
Louisiana	645, 726	392	. 06
Maine	201, 745	197	. 10
Maryland	518, 554	773	. 15
Massachusetts	1, 061, 417	682	. 06
Michigan	1, 450, 214	2, 127	. 15
Minnesota	681, 511	1, 118	. 16
Mississippi	546, 762	114	. 02
Missouri	934, 385	810	. 09
Montana	148, 261	360	. 24
Nebraska	305, 612	880	. 29
Nevada	34, 819	17	. 05
New Hampshire	115, 313	90	. 08
New Jersey	1, 141, 115	750	. 07
New Mexico	142, 198	202	. 14
New York State	1, 499, 113	1, 214	. 08
New York City	2, 060, 963	804	. 04
North Carolina	961, 221	719	. 07
North Dakota	156, 539	404	. 26
Ohio	1, 799, 721	4, 091	. 23
Oklahoma	567, 056	1, 511	. 27
Oregon[2]	--------	--------	--------
Pennsylvania	2, 595, 650	5, 563	. 21
Rhode Island	181, 910	67	. 04
South Carolina	498, 989	94	. 02
South Dakota	151, 626	513	. 34
Tennessee	770, 074	1, 181	. 15
Texas	1, 746, 681	1, 577	. 09
Utah	139, 167	42	. 03
Vermont	83, 671	65	. 08
Virginia	743, 656	1, 606	. 22
Washington	466, 437	1, 987	. 43
West Virginia	506, 630	549	. 11
Wisconsin	781, 871	855	. 11
Wyoming	64, 639	112	. 17
Alaska	24, 769	38	. 15
Hawaii	133, 587	125	. 09
Puerto Rico	46, 099	221	. 48
Virgin Islands	4, 850	19	. 39
Total	34, 506, 923	52, 354	. 15

[1] Exclusive of Fourth Registration.

[2] Information not available.

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[2] Ch. VI.

[3] Ch. VII.

[4] Ch. XIII.

I–A–O and IV–E registrants on the local board rosters who were later reclassified as not available for service with the armed forces or for assignment to C. P. S. Camps.

The local board roster total does not include those who claimed to be objectors but whose claims were disallowed and whose boards therefore placed them in Class I–A. Nor does it contain registrants whose claims were never considered because they were at all times found to be exempt or deferred from service on legal, dependency or occupational grounds and classified IV (other than IV–E), III, or II. The number of such objectors can only be estimated roughly. In proceeding to do this there are a number of factors involved, such as the types of registrants who might make valid claims for exemption or deferment on the grounds of objection and the percentages of all registrants who at no time were classified as available for service. After considering these and other factors, it is estimated that at least 20,000 registrants 18–44 years of age claimed to be conscientious objectors who at no time were placed in Classes I–A–O and IV–E. These added to the 52,354 registrants so classified indicates that there were between 70,000 and 75,000 of the ages liable for service who filed claims of conscientious objection. Table No. 21 summarizes these figures.

TABLE NO. 21.—*Estimated total number of liable Selective Service registrants claiming conscientious objection, 1940–47*

Category	*Number*
Inducted into armed forces for noncombatant service [1]	25, 000
Assigned to camp for work of national importance	11, 950
Convicted for failing to report to camp	1, 624
Reclassified from I–A–O or IV–E as not available [2]	13, 780
Claimants never classified in I–A–O or IV–E	20, 000
Total	72, 354

[1] Estimated.

[2] Derived by subtraction.

Geographical Distribution of Objectors

Table No. 20 reveals that the greatest numbers of objectors classified I–A–O and IV–E were entered on the local board rosters of California, Indiana, Ohio, and Pennsylvania. On the basis of proportion to total registrants liable for service, however, several other States stand out, including Kansas, Idaho, Nebraska, North Dakota, Oklahoma, South Dakota, and Washington. The Southern States and several of the New England and Northeastern States were at the other extreme with very small percentages of registrants who were objectors.

About half of the States on their local board roster reports of February 1947 entered separate data for registrants in each of the classes

I–O–A and IV–E (Table No. 22). This information, though incomplete, is significant because it reflects the distribution of the so-called peace churches.

TABLE No. 22.—*Number and proportion of registrants on local board rosters, classified in I–A–O and IV–E for selected States, February 1947* [1]

State	Number		Percent in class I–A–O	State	Number		Percent in class I–A–O
	Class I–A–O	Class IV–E			Class I–A–O	Class IV–E	
Alabama	381	173	68.8	New Hanpshire	35	55	38.9
Arizona	158	102	60.8	New York State	580	634	47.8
Colorado	424	209	67.0	New York City	285	519	35.4
Connecticut	212	147	59.1	North Carolina	362	357	50.3
Georgia	58	57	50.4	Ohio	1,394	2,697	34.1
Indiana	1,772	2,500	41.5	Rhode Island	31	36	46.3
Kentucky	331	104	76.1	Texas	1,071	506	67.9
Maine	107	90	54.3	Vermont	48	17	73.8
Massachusetts	372	310	54.5	Washington	1,571	416	79.1
Michigan	1,338	789	62.9	West Virginia	341	208	62.1
Missouri	493	317	60.9				
Nevada	13	4	76.5	Total	11,377	10,247	52.6

[1] This information was not specifically requested but was furnished voluntarily by the States listed.

For example, attention is invited to the figures for the neighboring States of Indiana and Michigan. In Indiana there were 2,500 Class IV–E registrants as compared with 1,722 of Class I–A–O. For Michigan the reverse was true, that State having 1,338 in I–A–O and 789 in IV–E. It is believed these conditions are to a considerable extent due to the fact that there are more than three times as many Seventh-Day Adventists in Michigan as in Indiana and nearly four times as many Mennonites in Indiana as in Michigan. The Adventist Church, it will be recalled, advocated noncombatant duty for all of its members who, as registrants, were selected for service.[5]

Local Boards With No Objectors

As noted the Director's February 1947 letter also requested the number of local boards with no Class I–A–O and IV–E objector registrants on their rosters. More than 1,200 boards were reported as at no time having any registrants so classified. This indicated that there were many places in the United States where the conscientious objector issue was not a problem during World War II. Although the question of conscientious objection claims, is not entirely ruled out by such data, it is safe to conclude that these boards at the most had very few claimants. The numbers of this type of board by State are shown in Table No. 23. On the whole the South had larger proportions of such boards than the North. But it is also particularly important to note that some of the States having the largest number of objectors had many areas where the matter did not constitute a problem. For instance,

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[5] Ch. II and Ch. IV.

Indiana had 50 local boards without any registrants placed in Classes I–A–O and IV–E as objectors, Ohio had 32, and Pennsylvania 38.

TABLE No. 23.—*Number and proportion of Selective Service local boards reporting no registrants on rosters who were at any time classified I–A–O or IV–E, by State, February 1947*

State	Total local boards	Number with no registrants in I–A–O and IV–E	Percent of total	State	Total local boards	Number with no registrants in I–A–O and IV–E	Percent of total
Alabama	155	53	34.2	New Jersey	202	43	21.3
Arizona	22	2	9.1	New Mexico	36	6	16.7
Arkansas	94	22	23.4	New York State	260	30	11.5
California	284	10	3.5	New York City	280	45	16.1
Colorado	76	17	22.4	North Carolina	154	41	26.6
Connecticut	65	4	6.2	North Dakota	55	8	14.5
Delaware	10	--------	0	Ohio	331	32	9.7
District of Columbia	25	--------	0	Oklahoma	105	9	8.6
Florida	103	26	25.2	Oregon [1]	--------	--------	--------
Georgia	188	155	82.4	Pennsylvania	426	38	8.9
Idaho	47	9	19.1	Rhode Island	29	9	31.0
Illinois	361	35	9.7	South Carolina	83	39	47.0
Indiana	152	50	32.9	South Dakota	68	12	17.6
Iowa	120	16	13.3	Tennessee	133	17	12.8
Kansas	126	13	10.3	Texas	351	86	24.5
Kentucky	165	64	38.8	Utah	38	21	55.3
Louisiana	94	25	26.6	Vermont	18	8	44.4
Maine	31	2	6.5	Virginia	150	36	24.0
Maryland	66	11	16.7	Washington	76	1	1.3
Massachusetts	173	34	19.7	West Virginia	90	8	8.9
Michigan	192	13	6.8	Wisconsin	134	12	9.0
Minnesota	137	9	6.6	Wyoming	23	6	26.1
Mississippi	107	30	28.0	Alaska	24	9	37.5
Missouri	173	35	20.2	Hawaii	25	4	16.0
Montana	60	13	21.7	Puerto Rico	122	62	50.8
Nebraska	105	21	20.0				
Nevada	18	10	55.6	Total	6,382	1,262	19.8
New Hampshire	20	1	5.0				

[1] Information not available.

Denominations of C. P. S. Camp Assignees

Accurate statistics are available regarding the church affiliation of the Class IV–E registrants who served in the Civilian Public Service Camps. Information on this point was derived from the Conscientious Objector Reports (DSS Forms 48) sent to National Headquarters by the local boards when such registrants were being processed for assignment to the camps, that is, to work of national importance. According to the instructions issued by National Headquarters, the data on the Form 48 was taken in each case from the statement made by the man in his Special Form for Conscientious Objector (DSS Form 47).

Table No. 24 presents the church membership or affiliation of all camp assignees. As regards the larger denominations, all of the organizations of a church family, such as the Baptist or Brethern, are combined. The table has been broken up into four parts to allow for better comparisons. Part I lists all denominations represented by 100 or more assignees to the civilian work program; part II shows the denominations with 10 or more but less than 100; part III contains the names of all organizations having less than 10; part IV gives the number of registrants who entered no church membership or affiliation on their Forms 47.

TABLE No. 24.—*Church affiliations of assignees in Civilian Public Service Camps who reported pursuant to Selective Service orders after having been classified in Class IV–E, 1940–1947*

PART I—DENOMINATIONS WITH 100 OR MORE ASSIGNEES EACH

Listed alphabetically		Listed by number	
Baptist	243	Mennonite	4, 610
Brethren	1, 468	Brethren	1, 468
Catholic	162	Society of Friends	902
Christadelphian	136	Methodist	845
Church of Christ	220	Jehovah's Witnesses	532
Church of God	154	Baptist	243
Congregational Christian	204	Presbyterian	235
Jehovah's Witnesses	532	Church of Christ	220
Lutheran	124	Congregational Christian	204
Mennonite	4, 610	Catholic	162
Methodist	845	Church of God	154
Presbyterian	235	Christadelphian	136
Society of Friends	902	Lutheran	124

PART II—DENOMINATIONS WITH 10 OR MORE BUT LESS THAN 100 ASSIGNEES

Listed Alphabetically		Listed by Number	
Adventist Church	23	Disciples of Christ	85
Apostolic Faith	10	Evangelical	83
Assembly of God	21	Episcopal	81
Christian Scientist	19	Evangelical and Reformed	79
Church of the First Born	14	Molokan	75
Community Church	17	Pentecostal	67
Disciples of Christ	85	Fellowship of Reconciliation	51
Episcopal	81	Hebrew	50
Evangelical	83	Unitarian	49
Evangelical and Reformed	79	First Century Gospel	34
Evangelistic Association	15	Protestant Episcopal	33
Faith Tabernacle	16	Reformed	28
Father Divine	10	Nazarene	24
Fellowship of Reconciliation	51	Adventist Church	23
First Century Gospel	34	United Brethren	23
First Divine Association	11	Assembly of God	21
Hebrew	50	Christian Scientist	19
Holiness	14	War Resisters League	18
International Bible Students	14	Community Church	17
Latter Day Saints	10	Faith Tabernacle	16
Molokan	75	Evangelistic Association	15
Nazarene	24	Church of the First Born	14
Pentecostal	67	Holiness	14
Plymouth Brethren	12	International Bible Students	14
Protestant Episcopal	33	Plymouth Brethren	12

PART II—DENOMINATIONS WITH 10 OR MORE BUT LESS THAN 100 ASSIGNEES—con.

Listed Alphabetically		Listed by Number	
Reformed	28	First Divine Association	11
Theosophists	11	Theosophists	11
Unitarian	49	Apostolic Faith	10
United Brethren	23	Father Divine	10
War Resisters League	18	Latter Day Saints	10

PART III—DENOMINATIONS WITH LESS THAN 10 ASSIGNEES

Listed Alphabetically Only

Advent Church 1, Ahtinsky Church 1, Ambassadors of Christ 2, Assembly of Christ 1, Assembly of Christians 2.

Bahai Faith 1, Berean Church 1, Bethany Church 2, Bible Institute 2, Bible School 1, Bible Students Ecclesia 3, Bible Students School 5, Biblist 1, B'Nai Yehudi Temple 1, Body of Christ 1.

Christ Church 1, Christian Assembly 1, Christian and Missionary Alliance 4, Christian Fellowship 1, Christian Jew 1, Christ's Church 2, Christ's Church of the Golden Rule 2, Christ's Sanctified Holy Church 2, Church in Jesus Name 1, Church of the Gethsemane 1, Church of God and Saints of Christ 6, Church of God of the Apostolic Faith 1, Church of the Four Leaf Clover 1, Church of the Four Square Gospel 1, Church of the Gospel 1, Church of the Living God 2, Church of the New Jerusalem 1, Church of the Open Door 2, Church of Truth 1, Circle Mission Church 1, Community Full Gospel Church 1.

Defenders 1, Doukhobors 3.

Eastern Orthodox 1, Emissaries of Divine Light 1, Essenes 5, Ethical Culture 2, Evangelical Congregation Church 1.

Federated Church 2, First Ukranian Evangelical Pentecostal 1, Followers of Jesus Christ 8, Four Square Church 1, Four Square Gospel 1, Free Fellowship 1, Full Gospel Church 4, Full Salvation Union 1.

Galilean Mission 1, God's Bible School 2, Gospel Center 1, Gospel Hall 1, Gospel Mission 1, Gospel Tabernacle 5, Gracelawn Assembly 1, Greek Orthodox 1.

Hashomer Hadati 1, Hephzibah Faith Missionary Association 2, Hindu Universal Church 1, Holy Rollers 1, House of David 3, House of God 1, House of Kosmon 1, Humanist 1, Hutterische 1.

Immanuel Missionary 9, Institute of Religious Science 2, Inter-Denominational 2, Israelite 1.

Jenning's Chapel 9.

Kingdom of God, Kingdom of God in Christ 1.

Lemurian Fellowship 9, Lao-Ise Faith 1.

Maddoznan 1, Megiddo 3, Memorial Church 3, Mission Covenant 2, Missionary Church Association 2, Moody Bible Institute 1, Moral Theist 1, Moravian 2, Moslem 3.

Nondenominational 5, Nonsectarian 2.

Open Bible Standard 1.

Peace Church 1, Pentecostal Assembly of God 2, Peoples Church 6, Philadelphia Church 1, Pilgrim Church 1, Pilgrim Holiness Church 6, Positive Christianity 7, Protestant 1.

Reading Raod Temple 1, Reformed Mission of the Redeemer 1, River Brethren 8, Rosicrucian 3, Russian Orthodox Church 1.

Saint's Mission 1, Salem Covenant 1, Salvation Army 1, Sampson Church 1, Scandinavian Evangelical 5, School of the Bible 1, Scientific Order of Spectrochrome Metrists 2, Seventh Day Church of God 4, Spiritualists 3, Swannanoa Foundation 1, Swedish Covenant 7.

Transfiguration 1, Trinity Tabernacle 1, Truelight 1, Twentieth Century Bible School 4.

Union Church 4, United Christian Missionary Society 1, United Church 2, United Holy Church of America 2, Unity 1, Universalist 5.

World's Student Christian Federation 1.

Zoroastrian 2.

PART IV—NUMBER OF REGISTRANTS GIVING NO CHURCH MEMBERSHIP OR PREFERENCE OR FOR WHOM SUCH INFORMATION WAS NOT AVAILABLE

No membership or preference indicated	675
No information available	101

Ratio of Assignees to Church Membership

Table No. 24 shows that the Mennonites, Brethren, and Friends—the three historic "peace churches"—were represented in C. P. S. Camps by the largest number of objectors. It indicates also that several non-pacifist churches had fairly large numbers of assignees. On the other hand, such small "peace churches" as the Christadelphian and Molokan do not show up at all prominently in the tabulation.

The ratios of the Class IV–E registrants in camps to the total memberships of their denominations, however, give a much better measure of relationship. A table has therefore been prepared which lists the denominations having more than 100 assignees to the civilian work program, in the order of such ratios. This reveals, in general, the extent to which the registrants of these churches objected to service in the armed forces. By way of contrast with Table No. 24 it should be noted that for each 1,000 members of the Christadelphian Church in 1936 there were 49.4 assignees in camps from 1940 to 1947, or putting it in other terms, for each 100 members there were approximately five assignees (Table No. 25). For each 100 Friends, there was one assignee.

TABLE NO. 25.—*Ratio of Civilian Public Service Camp assignees (1940–47) per 1,000 of church membership (1936)*

Church	Membership	Assignees	Assignees per 1,000 membership	Church	Membership	Assignees	Assignees per 1,000 membership
Christadelphian	2,755	136	49.4	Methodist	7,001,637	845	.1
Mennonite	114,337	4,610	40.3	Presbyterian	2,513,653	235	.1
Friends	93,697	902	9.6	Baptist	8,262,287	243	--------
Brethren	188,290	1,468	7.8	Lutheran	4,244,890	124	--------
Jehovah's Witnesses	[1] 75,000	532	7.1	Catholic	19,914,937	162	--------
Church of God	123,503	154	1.2				
Church of Christ	309,551	220	.7	Total	43,820,925	9,835	.2
Congregational Christian	976,388	204	.2				

[1] Estimate; official figures not available.

The Close Following of Doctrine by Christadelphians

It would appear from Table No. 25 that the members of the Christadelphian Church followed more closely than any other denomination the doctrine of their denomination as it related to conscientious objection and refusal to enter the armed forces. For this denomination, there was complete additional information to show that only 10 registrants of this church entered the armed forces and 4 others served prison sentences rather than perform such duty.

The Mennonites

The Mennonite bodies not only furnished Civilian Public Service Camps with the largest number of objector assignees but they also furnished the largest proportion of these Class IV–E registrants as related to their membership, of any church among the larger denominations. However, if these statistics are read to indicate that four assignees out of each 100 members went to camp, the question arises as to what happened to the remainder who were liable for service; speaking in round numbers there was during World War II one man in the armed services for each 10 people in the country. The Mennonite central committee provided part of the answer. The following statement was made in a letter to the National Headquarters of Selective Service under date of January 18, 1947:

> Of all the Mennonite young men who were drafted prior to December 1, 1944, 39.6 percent took regular military service, 14.5 percent took noncombatant work, and 45.9 percent were assigned to C. P. S. Camps. These figures are based on a survey which was made as of the above-mentioned date.

The Friends

The Friends rank next in Table No. 25. Information regarding the numbers of this faith who served in the armed forces is not available. At one time a report was circulated that there were twice as many Friends in the armed forces as in C. P. S. Camps, but this statement could not be verified statistically.

The Brethren

A valuable classification survey was made by Merlin C. Shull, of the Ministry to Servicemen of the Church of the Brethren, in March 1945. The results of the survey were provided to Selective Service through the Brethren Service Committee. It listed the members of the church and the friends of the church (cases where a man was the son of a church member) who were in the armed services. Only 51.2 percent of the local churches of the denomination furnished reports to the survey, but the totals reported were increased to 100 percent to obtain a complete estimate. Table No. 26 presents the resulting estimates, which are believed to be generally reliable.

TABLE No. 26.—*Classification survey of the Brethren denomination, March 1945*

Type of service	*Numbers*
Regular military	21, 481
Noncombatant military	1, 382
C. P. S. Camp	1, 365
Total	24, 228

These figures indicate a fairly high ratio of servicemen in the Brethren Church, somewhat higher than the one in 10 for the total population of the United States which was referred to above. Of course, ratios are relative indexes and many factors could cause variances. For instance, there is a considerable difference between church memberships in the matter of sex ratios. In the Christadelphian Church the ratio of males to females was 65.3, while in the different branches of the Brethren group it ranged from 54.5 to 80.3 with the latter figure given for the Church of the Brethren, which had about 85 percent of the members.[6] Another factor of importance was the percentage of young people affiliating with the denomination who were not necessarily members. Then, too, the membership figures available were for 1936.

Writing in April 1945, Dr. Rufus D. Bowman, president of Bethany Biblical Seminary, tells of a questionnaire survey which he conducted among a sampling of one-fifth of the member churches of the Church of the Brethren. He based the following comments on the answers which 161 churches gave to the question, "What are the reasons Brethren boys have given for going into Army service?":

> According to the replies from local churches giving the statements from the young men themselves, duty to country, social pressure, the economic problem, inadequate peace teaching, the feeling that the war was forced upon them, indifference to the church and lack of sympathy with the conscientious objector position were the primary reasons why Brethren boys went into the Army. A study of the replies indicates that lack of vital peace teaching should be given a larger place than is indicated by the schedules. It could hardly be expected that the Army boys would mention inadequate peace teaching as the reason for their accepting military service. However, if the Brethren had carried on a thorough peace-education program in the local churches, it is probable that more young men would have withstood social pressures and the influence of propaganda. The reports show that propaganda, the economic problem, and the influence of friends and community have been stronger in motivating action than the program of the church.[7]

Jehovah's Witnesses

The data given for the Jehovah's Witnesses are not too valuable because they are based on an estimated membership. Such an estimate was necessary in view of the fact that the sect did not have records of membership available which were closely comparable to those of other churches. Furthermore, there were enough members of the group in prison as Selective Service violators that the number actually in C. P. S. Camps did not accurately represent the thinking of the entire body.

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[6] *Religious Bodies, 1936,* op. cit., vol. 1, pp. 86–89.

[7] Rufus D. Bowman, *Seventy Times Seven* (Elgin, Ill.: Brethren, 1945), p. 45.

Churches of Christ

The Churches of Christ are of particular interest in regard to conscientious objectors in view of the doctrinal position taken by this group as reported to the Bureau of the Census in 1936. A special study of the position of this denomination was made with the assistance of some of the leaders within the church. The following paragraphs are quoted from a letter received at National Headquarters, Selective Service, from Dr. George S. Benson, president of Harding College, Searcy, Ark., and written under date of April 18, 1947:

> The Churches of Christ maintain strict congregational independence. We have no national headquarters. We have no creed other than the Bible and consequently, there is no single person or single group of persons who can speak for the Churches of Christ as a whole.
>
> As might be expected under this condition, the Churches of Christ are not in agreement with regard to military service. We have some congregations that refuse to participate in war at all.
>
> In my opinion however, the larger number of our congregations believe that Christians should be subject to all requirements on the part of their Government and consequently, should obey the orders of the Government with regard to anything that they do not consider from the Bible to be wrong within itself. Consequently, most of our young men responded when they were called to arms but requested noncombatant service. Some went into quartermaster service, some into medical service, some into communications. In fact, they were willing to accept anything except actually taking up arms and attempting to take life.
>
> Then we have a considerable group of churches that advocate no conscientious objections at all and whose young men accordingly accept combatant service without objection.
>
> By way of summarizing what I have said above, the vast majority of our brethren fall in three groups: first, a small group that objects to any type of military service, even objecting to wearing of the uniform; second, a larger group who believe in accepting any orders from the Government so long as the task within itself does not require taking of life and who accordingly accepted any kind of noncombatant service; third, a small group of churches that offer no conscientious objections at all to military service.
>
> Throughout World War II, I believe our Government did a marvelous job in respecting the conscience of young men and I know our brethren in the Churches of Christ were so impressed. Our young men who requested noncombatant service and succeeded in convincing the officers that they were sincere in it, were readily given such service. This often times did not mean less dangerous service at all nor were they asking to escape from danger. They were only asking to refrain from taking life which they believed out of harmony with the doctrine of the New Testament.

The Assemblies of God

A similar question existed concerning the stand of the Assemblies of God, as quoted by the Bureau of the Census in its 1936 *Census of Religious Bodies.* This church was reported as taking a pacifist position, but only 23 of its members and affiliates appeared in C. P. S. Camps as assignees. Based on a 1936 membership of 148,053 this would indicate a ratio figure of 0.1 per 1,000 members, which was extremely low for any group taking a nonresistance position. The following statement made by Rev. J. Roswell Flower, General Secretary of the General Council, under date of April 28, 1947, helps to explain the low ratio, however.

> The statement which appeared in the publication of the United States Department of Commerce, *Religious Bodies 1936*, on page 71 of volume II, part I, is founded on an article which appears in the bylaws of the general council of the Assemblies of God. We are enclosing a page taken from the bylaws containing this statement.
>
> By way of explanation, the Assemblies of God were organized in the year 1914 just before the beginning of the first World War, and the statement on military service was adopted at that time. The local assemblies which became part of the general council were few in number at that time, and few of the members of the Assemblies of God took the conscientious objector position.
>
> In the year 1940 the denomination had grown to approximately 5,000 churches with an enrolled membership of approximately 200,000. These churches are independent, sovereign entities which have agreed to cooperate in the general body much on a similar basis to that of the Baptist denomination. The bylaws on military service is not binding on any of the local churches although it was not rescinded and remained in force all during the years of World War II.
>
> Your records are correct in that there were only about 22 who claimed to be members of the Assemblies of God who took the extreme conscientious objector position and were consigned to civilian public service. We had the responsibility of raising support for these men and did so.
>
> We have no means of knowing the number of members or sons of members of Assemblies of God serving in the armed forces. None of those members of the eight churches here in Springfield, Mo., asked for noncombatant service, but we do know that a number of members in other parts of the country did ask for noncombatant service and were so classified.
>
> When the United States entered the war and Selective Service was authorized, many inquiries for advice poured in to this office. The universal advice given to our young men was that instead of taking the extreme conscientious objector position that it was better for them to ask for noncombatant service. I will send you copies of the letters mailed to many of these inquirers.
>
> Our records show that we had no difficulty to obtain proper classification for those who did ask for noncombatant service. For the most part, the local Selective Service boards were considerate of the applicant and gave the proper classification without question.

The following statement is taken from one of the letters referred to by Reverend Flower:

> We would like for you to consider carefully the matter, and should you feel that you could serve the Government in noncombatant service, we would suggest

that you get in touch with your draft board and inform them that you are willing to accept such service. They might even permit you to volunteer in the service which you might choose.

The Molokans and the Church of God

The Molokans constituted another church with definite conscientious objector leanings. However, during World War II Selective Service was told by a high ranking official of the church that only one in 20 of its registrants had asked for civilian work when called for service. This statement agreed well with the church membership ratio of 7.5 C. P. S. assignees per 1,000, based on an estimated membership of 10, 000. It makes this church rank next after the Christadelphian, Mennonite, Friends, and Brethren.

The Church of God among the larger avowed pacifist churches was even lower in position, with a rate of 1.2 per 1,000. It ranked in last position among this group of churches.

The Cooperativeness of the Adventists

The Seventh-Day Adventist Church, avowedly noncombatant, was very cooperative in that regard. Only 23 of its members were assignees to camps, giving it a rate of 0.2 per 1,000, similar to that of the Assemblies of God.

Small Ratios of Many Churches

Whereas figures of from 124 to 845 assignees from denominations without nonresistance doctrines, appear large in Table No. 24, they do not seem so large when considered in relation to their memberships (Table No. 25). A figure of 845 for the Methodist means that only 0.1 out of each 1,000 in the membership of this group served as an assignee in a Civilian Public Service Camp. All of this information for the large religious groups indicates the extreme willingness of the rank and file of American denominations to support the national effort in a time of emergency.

Church Affiliations of Assignees Separated as Delinquents

Another topic of importance in connection with the church affiliation of conscientious objectors is the difference between these groups as to the number of delinquency separations from Civilian Public Service Camps. The largest number of such discharges was among Jehovah's Witnesses, a total of 151, followed by 71 men of no religious affiliation and 70 who were Methodists (Table No. 27). The Friends, Molokans, and Brethren were also among the first 10 in total delinquency releases from camps, along with such very large denominational groups as Presbyterians, Baptists, and Catholics. Denominations not listed in Table No. 27 had less than 10 separations of this kind.

TABLE NO. 27.—*Churches having more than 10 assignees dropped from Civilian Public Service Camps for delinquency, 1941–47*

Church	Number	Church	Number
Jehovah's Witnesses	151	Molokan	22
None	71	Baptist	18
Methodist	70	Brethern	16
Friends	42	Catholic	16
Presbyterian	25	Congregational Christian	15

These statistics do not take into consideration the proportions which the numbers bore to the total camp assignees affiliated with each church. When a computation is made of the percentage of registrants in different denominations entering camps who later were discharged for delinquency, the order of the list of outstanding denominations changes:

TABLE NO. 28.—*Churches having more than 10 percent of camp assignees dropped from camp rolls as delinquents, 1941–47*

Church	*Percent*
Theosophist	36. 4
Molokan	29. 3
Jehovah's Witnesses	28. 4
War Resisters League	22. 2
Community Church	17. 6
Hebrew	14. 0
Fellowship of Reconciliation	13. 7
Adventist	13. 0
Presbyterian	10. 6
Christian Scientist	10. 5

The largest percentage of camp delinquents was in the Theosophist group where four out of 11 acquired such status. The Molokans were second, with 22 out of 75 becoming delinquent. In third place were the Jehovah's Witnesses, with 151 out of 532 dropped for delinquency. Most of the remainder of the groups listed were, as already noted, small in size.

However, it is perhaps significant that 11 churches having more than 10 men in objector camps had no delinquents whatsoever. These were the Assembly of God, Evangelical, Evangelical Association, First Century Gospel, Holiness, International Bible Students, Latter Day Saints, Nazarene, Pentecostal, Plymouth Brethren, and Reformed and United Brethren.

In addition, it is noted that the three principal "peace churches" ranked very low in camp delinquency. The Friends, with 42 delinquents out of a total of 902, had a percentage of 4.6. The Brethren, with 16 delinquents out of 1,468, had 1.1 percent. The Mennonites had a most remarkable record in that only four of their 4,610 men became delinquent, for a percentage of 0.09. These data suggest that members of the principal "peace churches" were generally more willing to cooperate in camp activities than those of other groups with less doctrinal opposition to war. Possibly this was due to the definite acceptance by "peace group" leaders of the civilian work program as a satisfactory war service arrangement for C. O.'s and a stronger tendency for registrants of these churches to act according to the will of their leaders.

Summary and Recommendation

To summarize, it is estimated that between 70,000 and 75,000 militarily liable registrants, aged 18 through 44 years, filed claims of conscientious objection during the 6½ years of Selective Service operations during World War II. Of these an estimated 20,000 were never classified I–A–O (available for noncombatant duty) or IV–E (available for civilian work) by the System; they were found exempt or deferable for other reasons and placed in Class IV other than IV–E (legal), III (dependency) or II (occupational). An additional 13,780 were put in I–A–O or IV–E but most of them were reclassified as not available before being processed for induction or assignment. A few may have been placed in I–A (available for combatant service). Reports also showed that 11,950 Class IV–E's were assigned to Civilian Public Service Camps for work of national importance and that 1,624 more so assigned refused to go to these camps and were convicted in the Federal courts as law violators in this regard. As many as 25,000 however, were estimated to have been inducted for noncombatant service.

Among the States, California and Pennsylvania had the largest number of objectors in Classes I–A–O and IV–E, around 5,500 each, though Indiana and Ohio each had more than 4,000. As to proportion of registrants so classified, however, Kansas easily ranked first and Indiana and Washington readily second and third. In the relationship of I–A–O's to IV–E's Washington stood first among selected States and Nevada and Kentucky close to it, while Ohio was lowest along with New Hampshire; these data apparently show the influence of the pacifist churches. As many as 1,262 local boards reported no Class I–A–O and IV–E registrants; in this connection Georgia had the highest percentage, 82, and other Southern States likewise stood well. Delaware and the District of Columbia had no boards without such classes and the proportion was also low in the Northeastern and Pacific States.

When it came to the church affiliations of Class IV–E objectors assigned to C. P. S. Camps, the Mennonite denomination had by far the largest number, 4,610. The Brethren came second with 1,468 and the Society of Friends third with 902. Ten other denominations supplied more than 100 each. Ratios of camp assignees to church membership, however, show the Christadelphians highest with 5 assignees per 100 members although objectors in camps affiliated with this denomination numbered but 136. The ratio of 4 per 100 among Mennonites placed them second and indicated that they, as well as the Christadelphians, followed their pacifist doctrines closely during the emergency of 1940–47. The Friends' ratio along this line was about 1 per 100 and the Brethren's a little less than one.

Camp delinquency and church denominations are likewise significant. There were a total of 151 Jehovah's Witnesses separated or dropped from C. P. S. Camps for refusal to obey orders and for other camp delinquencies. This was the largest number of such releases and amounted to 28 percent of the 532 members of this sect on the work-of-national-importance program. The Theosophists had 36 percent so discharged and the Molokans 29.

All of the conscientious-objector statistics of this chapter and previous ones are of considerable interest and importance. They did not entirely cover the informational, operating, or educational needs of that phase of the Selective Service program, however. Like the reemployment or veteran's assistance activity, another new phase of the System's 1940 effort, the tendency as regards conscientious objection was to attempt operation on a minimum of data. It is therefore recommended that in future work of this nature more comprehensive records and reports be instituted at the beginning. The resulting statistics will contribute materially to both the internal tasks and the external relationships of the churches, the technical agencies and the Department of Justice, as well as to Selective Service operations.

XVII

CONSCIENTIOUS OBJECTION—PAST, PRESENT AND FUTURE

This monograph has dealt with the role played in the various national emergencies of the United States by citizens who were conscientious objectors to war and the armed forces. It has covered the subject briefly for the past and at length for the present, that is, for the Selective Service operations of 1940–47 in connection with World War II. The next step is to review this experience as concisely as possible and to indicate what lessons are found therein for future activities of the System.

The point should probably be made first of all that opposition to violence and resistance in the United States may be said to stem from the beginning of its history. The right of the individual to act in accordance with his conscience was recognized from the first as one of the principles upon which the country was founded. For more than 200 years this precept developed until it crystallized in the Selective Training and Service Act of 1940 with the most comprehensive provisions of national scope yet enacted for the conscientious objector.

Objection From Colonial Times to the Civil War

The right of the objector to exemption from armed service as expressed in the 1940 law, was embodied in some of the earliest legislation of the colonies. Later William Penn, in 1701, declared by way of a charter for Pennsylvania that no person should be compelled to perform any act contrary to his "religious persuasion." In 1775 the Continental Congress passed a resolution calling upon all to respect the rights of nonresisters. Following the Declaration of Independence, individual States provided through their constitutions for the exemption of religious objectors from bearing arms. While all of this legislation exempting those opposed to violence, was not necessarily restricted to members of specific religious groups, it was nevertheless directed mainly to members of the historic peace churches: Friends, Brethren, Mennonites with creeds forbidding participation in war. These three religious organizations, incidentally, had the largest numbers of objectors in Civilian Public Service Camps during World War II.

Parallel with this recognition of the principle for objector exemption there existed the philosophy that in return for exemption an alternative form of service should be demanded. In 1757 for instance, the Quakers passed an act in the Pennsylvania colony containing rather broad provisions for noncombatant service by granting exemption to nonresisters who would assist in time of emergency by such acts as extinguishing fires; caring for the wounded, the women and children; and acting as messengers. Thus hospital service, which in World War II was one of the main duties in the armed forces to which noncombatant objectors were assigned, was established as one of the early forms of service required of the objector. In the Revolution, the payment of a fine or commutation fee was substituted for armed duty. This principle of alternative service has remained a basic part of successive legislation in the field, although the form of service required has changed.

National Programs During the Civil War

The Civil War marked the first national legislation with special provisions for the conscientious objector. The Federal Draft Act of February 24, 1864, recognized the rights of members of religious denominations "conscientiously opposed to the bearing of arms and who are prohibited from doing so by the rules and articles of faith and practice." In lieu of military service the citizen opposed to war and armed forces was given four alternatives: hospital service, care of the freedmen, securing a substitute, or payment of a commutation fee. Also the Confederate Congress on October 11, 1862, had passed a law providing for the exemption of Friends, Dunkards, Nazarenes, and Mennonites. In addition, noncombatant service was broadened by the Confederacy to include those engaged in "the production of grain and provisions for the army and the families of soldiers," a precursor of the agricultural activities to which objectors were assigned in both World War I and II. It should be noted that not until the Civil War was church membership *per se* generally a prerequisite.

The New Approach of World War I

The First World War brought distinct changes in the approach to the problem of conscientious objection. Under the Selective Service law of 1917, all militarily liable men if selected for duty were subject to induction into the armed forces. No relief from service was possible through the payment of commutation fees or obtaining substitutes. Only if the objector could prove after registering with the local board that he was a member of a well-recognized religious organization whose creed forbade participation in war in any form was he exempted from combatant duty; he was still inducted into the armed forces, however, and then assigned to noncombatant service.

On March 16, 1918, an act was passed allowing the furlough without pay and allowances of enlisted men from the Army. This was applied to broaden the duty available to objectors by furloughing noncombatants to agriculture and for service in the Friends' Reconstruction Unit in France. Recommendations for such assignments were made by a board of inquiry which visited Army camps for the purpose of querying registrants averse to any service with the armed forces on the sincerity of their claims. Objectors subsequently assigned to these projects remained under the control of the military, however, despite the fact they were engaged in civilian projects, and all on such assignments who violated the 1917 law were liable for trial by court martial.

The Liberalizations of World War II

It is a significant commentary on American democracy that in a period of concentration camps, slave labor and other features of totalitarianism elsewhere in the world, an extremely small minority group of registrants who claimed conscientious objection, were protected by legislation in World War II that liberalized in four important respects the provisions of World War I. First, the Selective Training and Service Act of 1940 broadened the basis of exemption to include all persons who "by reason of religious training and belief" were conscientiously opposed to war in any form. The law thus embraced members of all churches, not merely those whose creed specifically forbade participation in war. But the enactment went still further by stipulating that recognition should also be given to the claims of nonchurch members provided they had a religious basis. Claims to conscientious objection on social, political, philosophical or other grounds were not valid, however, an interpretation upheld by the Federal courts in the *United States* v. *Kauten* and *Berman* v. *United States of America* cases.

Secondly, the act introduced special appeal consideration for the objector registrant by providing for investigation, hearing and recommendation on his appeal by the Department of Justice.

Civilian Work of National Importance

The third important advance toward a more adequate objector program was the recognition given those who could not conscientiously perform any service under the control of the armed forces. For this group, work of national importance under civilian direction was provided by the law and upon being given a special classification, Class IV–E, such objectors were assigned to such work. Almost 12,000 of these registrants participated in this program.

A fourth liberalization of World War II legislation was that work of national importance should at all times be under civilian control.

Thus the assignee to such work was never under the direction of the armed forces. Furthermore, if he was indicted for violation of the 1940 Act he was given a civil trial by a Federal court.

Noncombatant Service Within the Armed Forces

For the registrant who was against combatant service only, the Selective Training and Service Act of 1940 provided noncombatant duty within the armed forces. In this respect the act followed closely the 1917 law. All noncombatant assignments were restricted by the Army and Navy to medical and hospital activities although the President had previously determined that only duty which involved the bearing and use of arms and training in these regards was outside of the definition for noncombatant. An estimated 25,000 claimants were placed in Class I–A–O by the System as being available for noncombatant service and were inducted into the armed forces for such duty. The peace churches as well as Selective Service were active in working with the Congress on the objector provisions of the law and although they allowed greater opportunity than ever before for the cooperation of the registrant opposed to war, they were not the subject of any amendment during the entire emergency of 1940–47.

Classifying the Conscientious Objector

The registration, classification, and other processing of the conscientious objector as to exemption or deferment from or selection for noncombatant service in the armed forces or for work of national importance under civilian direction, did not differ essentially from that of other Selective Service registrants. General regulations for the System covered this, while special ones dealt only with the work program for objectors. All militarily liable males, including objectors, were required to register with the System and to prepare a Questionnaire (DSS Form 40) for classification purposes. All must serve if selected but within the confines of their beliefs. The registrant opposed to war indicated this on his Form 40 and was then provided a Special Form for Conscientious Objector (DSS Form 47) on which to submit information substantiating his claim.

In classifying any registrant the Selective Service local board first considered him for exemption in Class IV (over-age, official, alien, minister, unfit) and next for deferment in III (dependency) and then in II (occupational) without reference to his claim, if he was an objector. In the event of ineligibility for any of these classes, he was held to be selected and available for service, and if he was an objector, attention was then given to his claim which in effect requested either noncombatant service or civilian work. His claim being found valid, he was next placed in Class I–A–O, available for noncombatant duty, or IV–E, available for work assignment, to await his call for service.

The validity of his claim depended heavily upon information regarding his past and present conduct.

From that point on, the processing of the I–A–O registrant was the same as that for the I–A man available for combatant service. As regards the IV–E objector when his order number was reached, he received an Order to Report—Preinduction Physical Examination (DSS Form 215) like all registrants, followed by a Certificate of Fitness (DSS Form 218) indicating he was physically, mentally, morally, emotionally, and educationally acceptable for duty. A Conscientious Objector Report (DSS Form 48) was then mailed from the local board via the State Director of the System to National Headquarters. The latter, working with a National Service Board for Religious Objectors, prepared an Assignment to Work of National Importance (DSS Form 49) for forwarding through State Headquarters to the local board which then issued an Order to Report for Work of National Importance (DSS Form 50).

Principles of Classification

In case the objector's claim was not considered valid by his local board and he was placed in Class I–A when he had asked for I–A–O or IV–E or he was put in I–A–O when he desired IV–E, he had recourse like all other registrants to the board of appeal and the Presidential Appeal Board. Almost 90 percent of the objectors classified in Classes I–A–O and IV–E did not seek appeal, however, thus accepting the System's determination. The Selective Service Act contained special provisions so that when a C. O. filed an appeal the appeal board would refer the case to the Department of Justice for investigation by the Federal Bureau of Investigation, hearing by an officer appointed specifically for this purpose, and recommendation by the United States attorney as a result of the investigation and hearing.

In over three-fourths of such cases, the boards of appeal carried out the Justice Department's recommendation, although they were required only to give consideration to it. The Department tended to be more liberal than the appeal boards and the appeal boards more so than the local boards. The Department of Justice, for instance, recommended that 64.6 percent of the objectors who made appeals, be sustained in their claims to exemption from combatant duty and that 49.2 percent be sustained in their claims to exemption from all armed service.

If the board of appeal failed to sustain the claim of the conscientious objector, the claimant might still appeal his case to the Presidential Appeal Board, provided one or more members of the appeal board had dissented from his local board classification. His case might also be appealed by action of the State Director or Director of the System. Despite the fact, that this Board was composed of military personnel, only 12 percent of the 712 objector cases appealed to it were classified for combatant duty, an indication of an even greater liberality on the part of the Presidential Appeal Board.

Establishing the Civilian Work Program

In World War II the principle which had existed for many years that conscientious objectors owed some form of alternate service in return for exemption from the armed forces found concrete expression in an effective program of work of national importance under civilian direction. For the first time in American history, a well-organized plan was established at the beginning of an emergency which would enable the objector to make a consistent contribution to the national health, safety, and interest. The importance of this contribution to the country's welfare is evidenced by the nature of the activities in which the registrant engaged: forest protection and preservation; public park maintenance; soil conservation; land reclamation; dam construction; wildlife preservation; crop production and harvesting; dairy-herd testing; mental hospital and training-school service; diet, nutrition, climate, malaria and hookworm experiments; health and medical activities; surveying and mapping; and compiling and plotting weather data.

Civilian Public Service Camps

This work program for registrants who were opposed to any service with the armed forces, was operated by means of Civilian Public Service Camps which had both regular and special projects as noted above. The general administration of these camps was vested in the Director of Selective Service. Technically, however, the work of camps having mainly the regular type of project, was under the direction of an agency of the Federal Government participating in the program: United States Forest Service, Soil Conservation Service, National Parks Service, Bureau of Reclamation, Farm Security Administration, Fish and Wildlife Service, and General Land Office. Special project units were under the Department of Agriculture, Coast and Geodetic Survey, Weather Bureau, Office of Scientific Research and Development, Office of the Surgeon General of the Army, United States Public Health Service, Puerto Rico Reconstruction Administration, Veterans' Administration, and various State mental hospitals and training schools.

At first the demand for camp assignees on regular and special projects was not great but eventually it far exceeded the supply. In the fall of 1946, for instance, when the units were at their greatest strength, more men were assigned to State hospitals and schools than to any single agency. A total of 5,931,632 man-days of work were performed from May 1941 through March 1947 by Class IV–E objectors in C. P. S. Camps on both types of projects. Thus a civilian work program which began basically as a regular manual-labor activity, became more and more unique and specialized, saving the Federal and State Governments several millions of dollars in personnel costs, fulfilling the service obligations of registrants with beliefs against armed force and contributing importantly to the national effort during an emergency.

As mentioned above, the camps were all administered by Selective Service. Of the 151 units established, 8 were under Government supervision, 120 under the historic peace churches and the remaining 23 under other religious organizations. Both Government-operated and church-operated camps had a director and most camp staffs also included a physician, nurse, dietitian, safety assistant, and other administrative personnel. In the former, the camp director and his staff were appointed by the technical agency; in the latter, by the National Service Board for Religious Objectors, a voluntary association of religious organizations which acted as spokesman for the churches and the conscientious objectors. These latter camps whose activities outside of working hours were all handled by the church group, likewise had a project superintendent designated by the technical agency to supervise the work program.

Administering the Camps

To obtain, equip, and administer the camps, the System set up at National Headquarters a Camp Operations Division. Many of the camps were founded on former Civilian Conservation Corps sites and their work was in general a continuation and an expansion along special lines of projects originated by the CCC.

The operation of the C. P. S. Camp was predicated in large part on that of the CCC. Like all other Federal employees, the Class IV–E registrant on camp assignment worked an 8-hour day. Medical care was provided. Sanitation standards were set by the United States Public Health Service. Recreation was furnished, as well as religious services at the camp. Furlough privileges were the same as those of enlisted and inducted men in the armed forces. There were small allowances which varied with the type of project. Assignees on regular projects who were provided with living accommodations, food, clothing, and other essentials, received $5 a month. A more flexible and liberal arrangement was found necessary for special projects. Assignees at mental hospitals and training schools, for instance, worked and lived under the same conditions as regular employees. Some objectors on such work drew as much as $15 from monthly allowances, the remainder being deposited in the United States Treasury; others received a per diem allowance.

The administration of the camps was beset from the first with problems of order and discipline as regards individual assignees. Most all of the objectors on civilian work performed this duty satisfactorily; but although they had been shown every consideration during the classification process of Selective Service, their life at camp created economic hardships for the families of many. In addition, there was a handful of registrants who accepted camp assignments, though opposed even to this service, rather than have the courage of their convictions and face a prison sentence. The latter were extremely uncooperative in the work activities of the units; some passively so, others actively. United States attorneys upon frequent occasions were slow to prosecute them after they were reported as law violators and delinquents and this encouraged their noncooperativeness and caused others to join them on a more or less organized-resistance basis. Before the movement was finally ended by court action as regards the leaders, it came near to damaging materially the reputation of the work program which most of the objectors, the churches, the technical agencies and the System were interested in making successful as a first attempt at a comprehensive solution of service for registrants opposed to war.

Violations of the Act

For the first time in United States history, the enforcement of a Federal conscription law was made the sole responsibility of civil authorities. By virtue of the Selective Training and Service Act of 1940 no registrant could be tried by court martial unless he had actually been inducted into the armed forces. Of the 16,000 registrants convicted as law violators during the System's 1940–47 operation, over 6,000 were conscientious objectors, two-thirds of these being Jehovah's Witnesses. The large number from this sect was accounted for by their refusal to request or accept I–A–O or IV–E classifications as objectors and their insistence upon deferment as ministers. More than 5,000 of the objector convictions were for failure to report for armed forces induction or for assignment to civilian work. Other violations of the law included failure to register, to return the Questionnaire, or to report for physical examination; refusal to comply with orders in C. P. S. Camps; and counselling or aiding evasion.

Inasmuch as the purpose of the law was to increase and train the armed forces, the dominating philosophy of enforcement was that delinquent registrants should be educated and persuaded to comply with with the law rather than penalized for violating it. Every effort of

Selective Service and the Department of Justice was therefore turned in this direction. Even after having been adjudged guilty in the Federal courts a delinquent could offer to comply and the charges against him were very likely to be withdrawn. Further there were provisions in the general regulations of the System which allowed violators serving prison sentences to seek parole for assignment to work of national importance.

Court Decisions

Court decisions sustained the basic principles upon which the C. O. provisions of the 1940 Act were based. The *United States* v. *Cain* case held that the only role the Federal courts could play in the finality of Selective Service local and appeal board actions was to see that they were based on "substantial evidence." The *United States* v. *Kauten* and *Herman Berman* v. *United States* cases ruled that a valid conscientious objector claim to exemption must be based solely on "religious training and belief" and not on philosophical, political, social, or other grounds; whereas *Gibson* v. *United States* established the right of the delinquent objector to request defense from the 1940 law in the courts and decided that registrant assignees to C. P. S. Camps were civilians and should seek redress from their IV–E classifications and assignments through the civil courts rather than by *habeas corpus*. In *Roodenko*, *Rockwell*, *Hutchison*, *and White* v. *United States* it was held that assignments to camps were constitutional, that the camps were legally authorized, and that camp projects constituted work of national importance.

Separations From the Civilian Work Program

Under the original provisions of the Selective Service Act registrants assigned to work of national importance were required to serve 12 months, the same length of time as those inducted into the armed forces, before being eligible for discharge. By succeeding amendments, the period of service was extended, first to 18 months, then for the duration of the war plus 6 months and finally to 18 months again.

A demobilization program for both inducted and assigned registrants was put into effect the latter part of 1945. As regards combatant and noncombatant inductees, their releases were upon identical bases. The separation procedures for assignees then and earlier followed the same general pattern as those for members of the armed forces. Congressional and public opposition during demobilization restricted them somewhat, however, but in any event no conscientious objector was discharged from work of national importance before a man in like category was separated from the armed forces.

Releases from Civilian Public Service Camps made prior to demobilization were as follows: physical disability, 1,566; dependency hardship, 290 cases; and occupational, largely agricultural, 184; 905, or between 7 and 8 percent, left the work program to enter at their own request, the armed forces; 30 died while on civilian work assignments; and 523 were discharged by reason of desertion or delinquency. This left a total of 8,408 or 70 percent for discharge through demobilization.

To recommend procedures and policies on releases and make recommendations on individual applications, a Special Separation Board was set up at National Headquarters, May 19, 1945; 630 cases, involving pleas of extreme hardship, the national health, safety and interest, and physical disability were acted upon by this Board.

Statistical Data

Although the problem of conscientious objection may have appeared quite widespread, there were nevertheless 1,262 local boards of the System with no registrants ever classified as objectors in I–A–O or IV–E. Southern States had proportionately more of such boards than other areas. Among assignees to C. P. S. Camps members of the Christadelphian and Mennonite churches had higher percentages in comparison with their memberships. As to camp delinquents the proportions in relationship to denomination, were much the higher for Theosophists, Molokans, and Jehovah's Witnesses in that order. Since the C. O. program was a developing activity for the System during the 6½-year period of its existence, the coverage of statistics for this part of the operation was not too complete.

Lessons from Conscientious Objection Experience

The Selective Service program for conscientious objectors during World War II was generally regarded as a satisfactory operation. The claims of more than 50,000 objectors, either for noncombatant service in the armed forces or work of national importance under civilian direction, were considered by the System. Assignees to both regular and special projects in Civilian Public Service Camps performed duties essential to the country's welfare. Despite the general success of the program, however, certain major problems arose during its operation. To bear upon the solution of these problems in future mobilization efforts, the following suggestions are therefore made:

1. The basic principle—service for every liable, selected registrant but such duty within the dictates of conscience—was tested comprehensively both in theory and practice during the emergency of 1940–47. As a result future Selective Service legislation should again include conscientious-objector provisions for both noncombatant service in military and naval organizations and civilian duty in work of national importance.

Improved Status for Objectors in Civilian Work

2. Although the armed forces over and above giving observance to belief averse to war, allowed the objector in noncombatant service exactly the same status as the registrant on combatant duty, this was not specified by the 1940 law as would perhaps have been advisable. In addition, there would probably be advantages to the System and the Federal Government in trying to utilize the objector whose faith precludes any duty with the Army and Navy if future conscription acts provided him with somewhat more rights and privileges than he had in World War II. The assignee to the civilian-work program and his family make certain sacrifices during a period of national emergency, and serious attention should at least be given to providing him with some pay and his family with some allowance or allotment.

Better Classification Procedures

3. Expanding the fundamental Selective Service legislation in this regard would require suitable implementation of both the general regulations for the System as regards classification and other procedures and the special ones for the work program. First of all there is some likelihood that the number of registrants claiming objection to any service in the armed forces, would increase under a liberalized program of this nature. This kind of a development would require more effective methods within Selective Service and the Department of Justice for determining the validity of such claims. On the other hand, their consideration as well as that for law violations or delinquencies must be thorough and painstaking as in the past, even if it involves activity by State and National Headquarters of the System and the Federal Bureau of Investigation in the Justice Department.

Regarding the exemption, deferment or selection of conscientious objectors, any new enactment should provide for the special assistance of appeal boards by the Justice Department in matters of hearing, investigation and recommendation on selected registrants averse to war who appeal their local board classifications. The general regulations should perhaps provide for a somewhat more specific classification of objectors; for instance, if Class I–A is used to designate selection for combatant service, I–C for this type of duty within the armed forces, and I–D for discharge from that kind of service, it might be found advisable to use classifications like I–A–O, I–C–O and I–D–O in similar capacities for the registrant of the noncombatant category and I–A–E, I–C–E and I–D–E for the objector concerned with civilian work.

Improved Camp Discipline

4. With the assignee to work of national importance having somewhat greater rights and privileges, he might attain a greater appre-

ciation of his classification and other processing by the System and his assignment to a Civilian Public Service Camp. The result would probably be fewer problems of order and discipline in camp. However, for the handful of objectors who would still refuse to work and obey related orders, there should be adequate provisions in the act or otherwise for immediate and continued detention by the authority in charge of the camp until the malefactor has complied with the orders or has been removed from the unit. This would tend to avoid damage to the morale of the camp and to the reputation of the program.

5. The camp organization either in centralized or decentralized units is perhaps the best arrangement for carrying on a civilian work program which involves registrants opposed to war and military or naval components. A camp probably needs to be operated throughout by that agency of the Federal or a State government concerned with the work project or projects being carried on there. The camp director should be an employee of this agency and in full control of the unit. Selective Service would procure personnel for the camp just as it does for the armed forces, and have a representative on its staff along with one from the national church organization if such existed. In a case of delinquency and detention as a result of such delinquency, the director should review the case thoroughly with his Selective Service, church, medical, legal, and other staff, and have the power thereafter to reissue the order which has been disobeyed, and/or refer the case (1) to a regional or Presidential board for action, (2) the United States attorney for prosecution, or (3) to the System for reclassification and induction into the armed forces.

6. In adjudging the validity of a registrant's claim of conscientious objection, the history of his past and present conduct will continue to be of basic importance. And when an objector interested in civilian work is selected for service, he should have a physical examination well in advance of such assignment, the same as a registrant selected for duty with the armed forces. In addition, it ought to be the same kind of an examination as that given to the other type of registrant. This would tend to reduce camp delinquency resulting from unfitness and to make for greater efficiency at the unit.

Law Violation and Delinquency

7. The objector who violates a Selective Service law by failing to register, return his Questionnaire or report for physical examination; by refusing to report at the work camp or obey orders there; or by counseling or aiding evasion at that unit or elsewhere, needs to be subject to prompt prosecution when reported to the United States attorney. Placing the responsibility of enforcement, as regards objectors and others, upon civil authority, such as the System and the

Department of Justice, is advisable but in such event the Federal courts must give priority to the delinquencies which are referred to them; lack of expeditious handling creates problems of morale and encourages further disobedience.

8. The courts ought not only to act expeditiously in cases where the registrant is accused of an offense against the enactment, but in those where the objector believes Selective Service has made an illegal determination in his regard. Further, objector and other registrants should be encouraged to seek redress in court just as they are encouraged to seek appeal within the System.

Educational Activities

9. Such court interpretation of the basic legislation is in itself an educational and persuasive process with regard to objector and other violators. Since a conscription act is to procure manpower for service, the delinquent at his request should generally be allowed to comply with the law during court proceedings, or even after imprisonment upon parole for such purpose. This procedure would also be followed by Selective Service during the period before he is reported to the United States attorney as a violator. Compliance with the law, and not penalty for its violation, is the desirable policy and much time could profitably be devoted to the development and use of such approach to reduce delinquency.

10. As a part of this educational and persuasive task and also as an aid to operational phases of the program for conscientious objectors, consideration might well be given to the early establishment and application of comprehensive statistical and other records and reports on the activities of the System in the field. A special activity like that relating to objection, as well as a regular one, needs information upon which to base its various tasks. To illustrate, comparative figures by church denomination on the number of registrants claiming objection; being selected for service; having valid claims; classified I–A–O, IV–E or otherwise; inducted or assigned; becoming delinquent; and separated would be of significance not only to Selective Service, but to the objectors themselves, to their churches and to the technical agencies concerned with the work projects.

Regular and Special Projects

11. Speaking of projects, a civilian work program for objectors should preferably be composed of a wide variety of regular projects, manual in nature, and also of special ones, skilled and professional. The qualifications for camp assignees to become eligible for the different types of projects need to be adequate to insure both quantity and quality of work performance and there should be ample opportunity

for progressive activity-to-activity transfer. Since such transfers increase the personal contribution of the camp assignee to the national effort, there would seem to be advantages in having added responsibilities accompanied by some up-grading at least with respect to pay and perhaps in connection with allowances.

12. In advance of new legislation and regulations of a comprehensive nature for conscientious objectors, extensive study and planning of program activities might prove beneficial in connection with later operations. Attention of this nature would probably be of greatest value with reference to the civilian work program. The subject of camp organization and administration is of particular importance here. In addition, the national significance of various regular and special civilian projects, even those located overseas, should be given consideration. If it is important that each objector to any service in the armed forces perform a work duty in lieu of induction, it is equally pertinent that such service be applied to the greatest advantage in a time of emergency. In the vast majority of cases the camp assignee will perform his duty satisfactorily and such effort, like that of the inductee, should be directed where most essential to the country.

BIBLIOGRAPHY

GENERAL

American Friends Service Committee. An introduction to Friends Civilian Public Service. Philadelphia, Education office, Civilian Public Service, American Friends Service Committee, 1945. 96 p.

Battine, Cecil W. The crisis of the Confederacy: a history of Gettysburg and the wilderness. N. Y., Longman, Green and Co., 1905. 424 p.

Bender, Wilbur J. Pacifism among the Mennonites, Amish Mennonites and Schwenckfelders of Pennsylvania to 1783. The Mennonite quarterly review, Oct., 1927, v. 1 no. 4, p. 21–48. Goshen College, Goshen, Ind.

Bowman, Rufus D. The church of the Brethren and war. Elgin, Ill., Brethren Publishing House, 1944. 348 p.

——— ——— Seventy times seven. Elgin, Ill., Brethren Publishing House, 1945. 158 p.

Church of the Brethren. Minutes of the annual meetings 1778–1909. Elgin, Ill., Brethren Publishing House, 1909. 911 p.

——— ——— Minutes of the annual conference on war and peace 1936–1940. Elgin, Ill., Board of Christian Education, Church of the Brethren, 1940. 26 p.

——— ——— Tracts and pamphlets. Elgin, Ill., Brethren Publishing House, v. 1, 1900.

Civilian Public Service Camps. [Publications]. Available at Swarthmore College Peace Collection, Swarthmore, Pa.; Mennonite Central Committee, Akron, Ohio; Brethren Service Committee, Elgin, Ill.; American Friends Service Committee, Philadelphia, Pa.

Commission on Acute Respiratory Diseases. Atypical pneumonia, Am. J. Med. Sci. 209, Jan., 1945, p. 55–58.

——— ——— An experimental attempt to transmit primary atypical pneumonia in human volunteers. J. Clin. Investigation 24, March, 1945, p. 175–88.

——— ——— Transmission of primary atypical pneumonia to human volunteers. J. A. M. A. 127, Jan. 20, 1945, p. 146–49.

——— ——— The transmission of primary atypical pneumonia to human volunteers: experimental methods; results of inoculation; clinical features; laboratory studies. [1946.] 167 p. bibl.

Cornell, Julien D. The conscientious objector and the law. N. Y., John Day Co., 1943. 158 p.

Corpus Juris Secundum. William Mack, editor. Appeal and error, v. 5, par. 1642, p. 549–62.

Drill, Victor A. Changes in liver function during experimentally induced human hepatitis. Yale J. Biol. and Med. 18, May, 1946, p. 345–58.

Duggan, Joseph C. The legislative and statutory development of the Federal concept of conscription for military service. Washington, D. C., Catholic University of America Press, 1946. 178 p.

Easby-Smith, Col. James S. Statement concerning the treatment of conscientious objectors in the Army. War dept., Washington, D. C., U. S. Government Printing Office, 1919. 54 p.

Elliff, Nathan T. Jehovah's Witnesses and the Selective Service Act. Virginia Law Review, v. 31 no. 4, Sept. 1945, p. 811–34.

Ferrero, Guglielmo and Barbagallo, Corrado. A short history of Rome. N. Y. and London, G. P. Putnam's sons, 1919. 516 p. Translated from the Italian by George Chrystal.

French, Paul C. Civilian public service. National service board for religious objectors, Washington, D. C., Nov. 1, 1942. 21 p.

——— ——— We won't murder. N. Y., Hastings House, 1940. 189 p.

Godcharles, Frederic A. Military volume (in Pennsylvania. Political, Governmental, Military, and Civil). N. Y., American Historical Society, Inc., 1933. 414 p.

——— ——— Physical, economic and social volume (in Pennsylvania. Political, Governmental, Military, and Civil). N. Y., American Historical Society, Inc., 1933. 426 p.

Havens, Walter P. Jr. Elimination in human feces of infectious hepatitis virus parenterally introduced. Proc. Soc. Exper. Biol. and Med. 61, 1946, p. 210–12.

——— ——— Epidemiological studies on infectious hepatitis. Am. J. Pub. Health 36, Jan. 1946, p. 37–44.

——— ——— Experiment in cross immunity between infectious hepatitis and homologous serum jaundice. Proc. Soc. Exper. Biol. and Med. 59, 1945, p. 148–50.

——— ——— Immunity in experimentally induced infectious hepatitis. J. Exper. Med. 84, Nov. 1, 1946, p. 403–06.

——— ——— Period of infectivity of patients with experimentally induced infectious hepatitis. J. Exper. Med. 83, March 1, 1946, p. 251–58.

Havens, Walter P. Jr. and Ruth E. Marck. The leukocytic response of patients with experimentally induced infectious hepatitis. Am. J. Med. Sc. 212, Aug., 1946, p. 129–38.

——— ——— A comparison of the cephalin-cholesterol flocculation and thymol turbidity tests in patients with experimentally induced infectious hepatitis. J. Clin. Investigation 25, Nov., 1946, p. 816–21.

Havens, Walter P., Jr. and Herbert A. Wenner. Infectious hepatitis complicated by secondary invasion with salmonella. J. Clin. Investigation 25, Jan. 1946, p. 45–52.

Hershberger, Guy F. War, peace and nonresistance. Scottdale, Pa., The Herald press, 1944. 415 p.

Horsch, John. The principle of nonresistance as held by the Mennonite church. Scottdale, Pa., Mennonite Publishing House, 1927. 60 p.

Jones, Uriah J. History of the early settlement of the Juniata Valley. Philadelphia, Henry B. Ashmead, 1856. 380 p.

Kellogg, Walter G. The conscientious objector. N. Y., Boni and Liveright, 1919. 141 p. Introduction by Newton D. Baker.

Keys, Ancel. Human starvation and its consequences. Journal of the American Dietetic Association, v. 22 no. 7, July 1946, p. 582–87.

Keys, Ancel, Josef Brozek and others. Experimental starvation in man. Minneapolis, Minn., Univ. of Minn., Oct. 15, 1945. 48 p. Not available for general distribution.

——— ——— Later stages of rehabilitation following experimental starvation in man. Minneapolis, Minn., Univ. of Minn., Aug. 1, 1946. 55 p. Not available for general distribution.

——— ——— Rehabilitation following experimental starvation in man. Minneapolis, Minn., Univ. of Minn., Jan. 15, 1946. 124 p. Not available for general distribution.

King, Charles Glen and others. Effects of pre-flight and in-flight meals of varying composition with respect to carbohydrate, protein, and fat. No. 1 of Aviation nutrition studies. Department of Chemistry, Columbia University, April 1945.

——— ——— Observations on the effect of pre-flight meals upon altitude tolerance. Science, v. 102 no. 2637, July 13, 1945, p. 36–38.

Langwill, Katheryn E., C. G. King, and Grace MacLeod. Effects of food intake and anoxia upon ascorbic acid excretion, acidity of urine, and survival of male albino rats. Journal of Nutrition, v. 30 no. 2, Aug., 1945, p. 99–108.

Lawrence, Thomas J. The principles of international law. 6th ed. N. Y., D. C. Heath, 1915. 745 p.

Miller, John E. Stories from Brethren life. Elgin, Ill., Brethren Publishing House, 1942. 224 p.

National Service Board for Religious Objectors. Camp directors' manual. Washington, D. C., revision of July 1, 1943. mime.

——— ——— The conscientious objector under the Selective Training and Service Act of 1940. Washington, D. C., Oct. 1, 1942 rev. 18 p.

——— ——— Director's manual: civilian public service hospital units. Washington, D. C., Dec. 1, 1943. mime.

——— ——— Directory of civilian public service, May 1941 to March 1947. Washington, D. C. 169 p.

——— ——— The origins of civilian public service. National service board for religious objectors, Box 1636, Washington, D. C. 27 p.

Neefe, John R. and John G. Reinhold. Laboratory aids in the diagnosis and management of infectious (epidemic) hepatitis: analysis of results obtained by studies on 34 volunteers during the early and convalescent stages of induced hepatitis. Gastroenterology 7, Oct., 1946, p. 393–413.

Neefe, John R., Joseph Stokes, Jr., and Sydney S. Gellis. Homologous serum hepatitis and infectious (epidemic) hepatitis: experimental study of immunity and cross immunity in volunteers. Am. J. Med. Sc. 210, Nov., 1945, p. 561–75.

Neefe, John R., Joseph Stokes, Jr., and John G. Reinhold. Oral administration to volunteers of feces from patients with homologous serum hepatitis and infectious (epidemic) hepatitis. Am. J. Med. Sc. 210, July, 1945, p. 29–32.

Paul, John R., Falter P. Havens, Jr., and others. Transmission experiments in serum jaundice and infectious hepatitis. J.A.M.A. 128, July 28, 1945, p. 911–15.

Proud, Robert. The history of Pennsylvania. Philadelphia, Pa., Zachariah Paulson, Jr., 1789. 2 v. v. 1, 508 p. v. 2, 373 p.

Reeves, George B. Men against the state. Human events, Inc., Washington, D. C., 1946. 18 p.

Reither, Joseph. World history at a glance. N. Y., Garden City Publishing Co., 1942. 425 p.

The Reporter. National service board for religious objectors. Washington, D. C. v. 1 no. 1 July, 1942. v. 5 no. 8 April, 1947.

Seventh-Day Adventist War Service Commission. Why Seventh-Day Adventists are noncombatants. Takoma Park, Washington, D. C., Reprint, Oct. 1944. 16 p. (Approved by General conference committee, Oct. 11, 1943).

Sheldon, Henry C. The early church. N. Y., Thomas Y. Crowell and Co., 1894. 619 p. (v. 1 of History of the Christian church.)

Spaight, J. M. War rights on land. London, Macmillan and Co., 1911. 520 p.

Stone, Harlan F. The conscientious objector. Columbia University Quarterly, v. 21 no. 4, Oct., 1919, p. 253–72. N. Y., Columbia University press.

U. S. Census Bureau. Religious bodies, 1936. 2 v. 2 pts. Washington, D. C., U. S. Government Printing Office, 1941. 1695 p.

U. S. Civilian Conservation Corps. Civilian conservation corps safety regulations. 1938. 177 p.

U. S. Provost Marshal General. Second report to the Secretary of War on the operations of the Selective Service System to Dec. 20, 1918. Washington, D. C., U. S. Government Printing Office, 1919. 607 p.

U. S. Selective Service System. Annual reports. Washington, D. C., U. S. Government Printing Office, 1940–44.

v. 1 Selective service in peacetime, 1940–41. 424 p.
v. 2 Selective service in wartime, 1941–42. 674 p.
v. 3 Selective service as the tide of war turns, 1943–44. 666 p.
v. 4 Selective service and victory, 1944–47. 709 p.

——— ——— Local board memoranda. Washington, D. C.

Army assignment of selectees classified I–A–O, conscientious objectors opposed to combatant service only, LBM 51, Oct. 28, 1941; as amended March 8, 1943 and Jan. 17, 1945.

——— ——— Memoranda to all state directors. Washington, D. C.

Army assignment of selectees classified I–A–O, conscientious objectors opposed to combatant service only (III), MSD I–278, Oct. 28, 1941.
Conscientious objector reports (III), MSD I–8, March 5, 1941.
Conscientious objectors (III), MSD I–21, March 7, 1941.
Conscientious objectors (III), MSD I–44, April, 1941.
Reclassification of registrants now classified in Class I–H and Class IV–E–H (III), MSD I–319, LBR (70), Dec. 22, 1941.

——— ——— Policy determinations. Washington, D. C.

Certain physical examinations by Public Health Service, P. D. 63, May 29, 1943.
Conscientious objectors, discharge of, P. D. 229, June 24, 1944.
Employment assistance to conscientious objectors, P. D. 265, Nov. 20, 1944.
Medical examinations of assignees, P. D. 280, Feb. 6, 1945.
Physical examinations, P. D. 3, Feb. 2, 1943.
Postponement and reconsideration, IV–E registrants, P. D. 237, July 19, 1944.
Proposed amendment to SSR 651.2 (a), P. D. 66, May 31, 1943.
Reemployment rights, conscientious objectors, P. D. 183, March 4, 1944.
Use of conscientious objectors in overseas projects, P. D. 93, July 28, 1943.

——— ——— Selective Service regulations. Washington, D. C., U. S. Government Printing Office, 1940–45.

First edition, Sept. 23, 1940 to Feb. 1, 1942.
Second edition, Feb. 1, 1942, to Feb. 1, 1943 (first printing).
Second edition, Feb. 1, 1943 to July 31, 1945 (second printing).
Second edition, July 31, 1945 to Mar. 31, 1947 (third printing).

——— ——— State director advices. Washington, D. C.

Amendment to Part 691, Selective service regulations, SDA 162, Feb. 2, 1943.
Withdrawal of conscientious objector claim while appeal is pending, SDA 250, Nov. 11, 1943.
Procedure concerning files on appeal in the possession of the Department of Justice on Dec. 10, 1943, SDA 250–A, Feb. 5, 1944.
Referring files of conscientious objectors to United States attorneys, SDA 250–D, April 19, 1945.

——— ———. Manual for camp directors: Government operated civilian public service camps. May 10, 1944. mime.

U. S. War Department. Selective Service Regulations. Prescribed by the President under the authority vested in him by the terms of the Selective Service Law (Act of Congress approved May 18, 1917). 1st ed. (Form 999). Washington, D. C., U. S. Government Printing Office, 1917.

——— ——— Selective Service Regulations. Prescribed by the President under the authority vested in him by the terms of the Selective Service Law (Act of Congress approved May 18, 1917). 2d ed., revised (Form 999A). Washington, D. C., U. S. Government Printing Office, 1918.

——— ——— Statement concerning the treatment of conscientious objectors in the Army. Prepared by Colonel James S. Easby-Smith, Judge Advocate, by direction of the Secretary of War, June 18, 1919. Washington, D. C., U. S. Government Printing Office, 1919. 75 p.

Wright, Edward Needles. Conscientious Objectors in the Civil War. Philadelphia, Univ. of Pa. Press, 1931. 274 p.

Zigler, D. H. A history of the Brethren in Virginia. Elgin, Illinois, Brethren Publishing House, 1908. 278 p.

GOVERNMENTAL DOCUMENTS

Court Cases:

Berman v. *United States*, 156 F. 2d (C. C. A. 9) 377 (1946).
Estep v. *United States*, 327 U. S. 114 (1946).
Gibson v. *United States*, 67 S. Ct. 301 (1946).
Roodenko v. *United States*, 147 F. 2d (C. C. A. 10) 752 (1944).
United States v. *Cain*, 144 F. 2d (C. C. A. 2) 944 (1944).
United States v. *Kauten*, 133 F. 2d (C. C. A. 2) 703 (1943).

Documents and Papers:

Ainsworth, Fred C. and Joseph W. Kirkley. The war of the rebellion: a compilation of the official records of the Union and Confederate armies. v. 2 and 3, series 3; v. 3, series 4. Published under the direction of the Honorable Elihu Root, Secretary of War. Washington, D. C., U. S. Government Printing Office, 1899.

Amendment I Freedom of religion, of speech and of peaceable assembly. (in the Constitution of the United States, annotated, Sen. doc. 232, 74th Congress, 2d session, Washington, D. C., U. S. Government Printing Office, 1938, p. 596).

American Archives; consisting of a collection of authentic records, state papers, debates and letters and other notices of public affairs, the whole forming a documentary history of the origin and progress of the North American colonies; of the causes and accomplishments of the American Revolution; and of the Constitution of Government for the United States, to the final ratification thereof. Compiled by Peter Force. Washington, D. C., M. St. Clair Clarke and Peter Force, April 1846. Fourth Series, v. 6. 1855 p.

Confederate States of America. A compilation of the messages and papers of the Confederacy including the diplomatic correspondence 1861–65. compiled, edited and published by James D. Richardson. Nashville, U. S. Publishing Co., 1905. 2 v. v. 1, 1st Congress, 4th session, Dec. 7, 1863–Feb. 17, 1864.

Pennsylvania Governors. Papers of the Governors, 1832–45, edited by George Edward Reed. Harrisburg, 1901. 1101 p. (v. 6 of Pennsylvania Archives, 4th series).

Legislative Proceedings and Hearings:

Pennsylvania (Colony) General Assembly. Votes and proceedings, House of Representatives, Oct. 14, 1756–Jan. 3, 1764, edited by Charles F. Hoban. (v. 6 of Pennsylvania Archives, 8th series, 1935).

——— ——— Votes and proceedings, House of Representatives, Jan. 7, 1771–Sept. 26, 1776, edited by Charles F. Hoban. (1. 8 of Pennsylvania Archives, 8th, series, 1934.)

——— Provincial Council. Proceedings of the council from Dec. 18, 1700 to May 16, 1717. Philadelphia, Pa. Printed by Jo. Severn and Co. 1852. 613 p. (v. 2 of Minutes of the provincial council of Pennsylvania from the organization to the termination of the proprietary government.)

——— ——— Proceedings of the council from Oct. 18, 1771, to Sept. 27, 1775 . . . with Minutes of the council of safety from June 30, 1775, to Nov. 12, 1776. Harrisburg, Pa. Printed by Theo. Fenn and Co., 1852. 784 p. (v. 10 of Minutes of the provincial council of Pennsylvania from the organization to the termination of the proprietary government.)

U. S. 1st Congress. Annals of the Congress of the United States. v. 1, March 3, 1789, to March 3, 1791. Compiled by Joseph Gales, sr. Printed and published by Gales and Seaton, 1834.

——— 2d Congress. Journal of the House of Representatives, Washington, D. C., U. S. Government Printing Office, 1905 (v. 7 of Journal of the Congress of the Confederate States of America, 1861–65, 58th Congress, 2d session. Senate doc. no. 234).

——— 37th Congress, 3d session. The Congressional Globe. Edited by John C. Rives. Washington, D. C., Congressional Globe office, 1863.

——— 76th Congress, 3d session. Congressional Record, v. 86, Aug. 26, 1940, p. 16632, Sept. 3, 1940, p. 17289, Sept. 4, 1940, p. 17363; Sept. 12, 1940, p. 18231–32; Sept. 13, 1940, p. 18326.

U. S. Appropriations, Subcommittee of the committee on. Conscientious objectors: testimony by Assistant Secretary of War Patterson, Lt. Col. Francis V. Keesling, Jr., Col. Lewis F. Kosch (in Military establishment bill for 1944: hearings on H. R. 2996, 78th Congress, 1st session, June 10, 1943).

——— Military Affairs, Committee on (House). Selective Service Act: Hearings on H. R. 3545, the bill authorizing the President to increase temporarily the Military Establishment of the United States, 65th Congress, 1st session, April 7, 14, 17, 1917. Washington, D. C., U. S. Government Printing Office, 1917.

——— Military Affairs, Committee on (House). Compulsory military training and service: hearings on H. R. 10132, 76th Congress, 3d session, July 10, 11, 24–26, 30, 31, Aug. 2, 12–14, 1940. Washington, D. C., U. S. Government Printing Office, 1940. 655 p.

——— Military Affairs, Committee on (Senate). Compulsory military training and service: hearings on 76th Congress, 3d session, S. 4164, July 3, 5, 10–12, 1940. Washington, D. C., U. S. Government Printing Office, 1940. 400 p.

U. S. Selective Service. "O'Kelliher Papers": Plans, preliminary drafts and changes in S. 4164 (H. R. 10132) prior to the enactment of the Selective Training and Service Act of 1940. Col. Victor J. O'Kelliher, comp. 2 vols.

Statutes:

Confederate States of America. The statutes at large of the provisional government of the Confederate states of America. . . . February 8, 1861 to its termination, February 18, 1864. Edited by James M. Matthews. R. M. Smith, printer to Congress, Richmond, 1864. Public laws passed at the 2d session of the 1st Congress, 1862; 4th session, 1863–64.

Federal and State Constitutions: Colonial charters and other organic laws of the states, territories and colonies now or heretofore forming the United States of America. Compiled by Francis Newton Thorpe. v. 1, 2, 3, and 6. Washington, D. C., U. S. Government Printing Office, 1909. 7 v.

Great Britain Parliament. National Service (Armed Forces) Act of 1939, 2 and 3 Geo. 6, ch. 81. 25 p.

North Carolina General Assembly. Public laws of its second extra session, 1861. Compiled by Thomas H. Ellis. Raleigh, N. C. John Spellman, printer to the state, 1861. 140 p.

U. S. Laws, Statutes, etc. The Statutes at Large. 12 Stat. 597; an act to amend the act calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions, approved February 28, 1795, and the acts amendatory thereof, and for other purposes, July 17, 1862. Chap. 201 v. 12, p. 597–600.

12 Stat. 731: an act for enrolling and calling out the national forces and for other purposes, March 3, 1863. Chap. 75, v. 12, p. 731.

13 Stat. 6: an act to amend an act entitled "An act for enrolling and calling out the national forces and for other purposes," February 24, 1864. Chap. 13, v. 13, p. 6.

——— 65th Congress, 1st session. The Selective Service Law: an act to authorize the President to increase temporarily the Military Establishment of the United States. P. L. 12. Approved May 18, 1917.

——— 76th Congress, 3d session. The Selective Training and Service Act of 1940. P. L. 783. Documents (Committee prints and reports) showing the various stages in the development of the measure. Edited and bound by the Selective Service System, 1940.

Virginia. Laws, statutes, etc. The statutes at large: being a collection of all the laws of Virginia from the first session of the legislature in the year 1619. Compiled by Wm. Waller Henning. Richmond, Virginia, J. and G. Cochran, printers, 1821. v. 8. 716 p.

Virginia General Assembly. An act providing for the exemption of certain parties upon religious grounds, passed March 29, 1862. (Acts of the General Assembly of the State of Virginia, 1861–62. Richmond, Virginia, Wm. F. Ritchie, public printer, 1862. (Chap. 25, pp. 50–54.)

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